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The Kenya County Budget Transparency Survey 2021

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Community budget champions in Busia County presenting a map of intra-county inequalities during the Equity Week in 2019. IBP Kenya

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List of Abbreviations and Acronyms

ADP - Annual Development Plan

CBROP - County Budget Review and Outlook Paper

CBTS - County Budget Transparency Survey

CFSP - County Fiscal Strategy Paper

CEDC - Community Empowerment and Development Centre

CEDGG - Centre for Enhancing Democracy and Good Governance

CoB - Controller of Budget

CoG - Council of Governors

CQBIR - County Quarterly Budget Implementation Report

CSOs - Civil Society Organizations

FCDC - Frontier Counties Development Council

GIFT - Global Initiative for Fiscal Transparency

IBP Kenya - International Budget Partnership Kenya

IMF - International Monetary Fund

LREB - Lake Region Economic Bloc

NOREB - North Rift Economic Bloc

OBS - Open Budget Survey

PBB - Programme-Based Budget

PFM Act - Public Finance Management Act

PSASB - Public Sector Accounting Standards Board

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Glossary of Key Terms Used in the County Budget Transparency Survey

Availability survey:
Assessment of the available budget documents from the official county Executive and County Assembly websites.

Budget facilitator(s):
They lead county-level civic engagements in the budget process in their counties and regions.

Budget champion(s:
Community influencers who mobilize citizens and support collective learning, analysis, and generation of citizens' proposals related to budget decisions, especially at the Ward level. Budget champions are recruited and trained by budget facilitators.

Budget year/ Fiscal year/ Financial year:
An entire government budget reporting period covering twelve months from 1st July of each calendar year to 30th June of the subsequent calendar year.

Comprehensiveness survey:
The second part of the CBTS checks the comprehensiveness of the budget information made available in published budget documents. A set of predetermined questions is used to determine the extensiveness of the budget information provided.

Development/Capital expenditure:
Expenditure incurred to buy, improve, or extend the life of capital items/fixed assets, i.e., roads, buildings, equipment, etc.

Economic classification:
Purpose on which the funds are utilized. Focuses on recurrent expenditure (personnel emoluments, operations, and maintenance) and development expenditure that includes purchases, transfers to individuals to the programme level.

Flagship project/Capital project/Transformational project:
They are financed through development/ capital expenditure and usually last at least a financial year. They are projects meant to benefit several wards or the whole county, and that is how they differ from ward specific projects.

Functional classification:
The sectoral class or group to which expenditure belongs, i.e., health, education, agriculture, et cetera. Expenditure at a programme and sub-programme level falls under functional classification.

Multiyear:
Multiyear refers to information that refers to a period that is more than one financial year. This could be years in the past or the coming years.

Modular research:
These are additional research pieces on transparency in certain thematic budget areas that could not be measured through a standardized questionnaire. Examples here include Supplementary Budgets, public participation and equity.

Publicly available:

Indicates the availability of a budget on the official county government websites and accessibility during the survey period. For the CBTS 2021, two official county websites were examined –the legislative arm of government (the County Assembly) and the executive arm's official website (the County Executive).

Priority:

Categories of spending that are given precedence over the medium term. They could be sectors/ departments/ ministries or programmes and sub-programmes or projects determined by the government to be of higher importance, thus receive a higher budget allocation or share than the previous year(s).

Programme:

A group of independent but closely related activities designed to achieve an expected outcome. In some instances, counties may refer to programmes as sub-sectors.

Readable format :

The contents of the budget document should be provided in ordinary document formats such as the open Portable Document Format (PDF) or the popular, readily available word processing formats (.doc and .docx) be downloadable. Where a downloaded document cannot be downloaded or opened by PDF and DOC file viewers such as Adobe Acrobat and Microsoft Office, respectively, the budget document was considered not to be accessible.

Revenue information:

Information on the income received by county government from various revenue sources, including intergovernmental transfers, which comprises equitable share and conditional grants and local revenues/ Own Source Revenue, which is income from taxes, charges, and levies imposed and collected by the county.

Recurrent expenditure:

Regular expenditure incurred for the ongoing operation of a county government. It includes compensation to employees, purchase of goods, services & operations, and maintenance and does not include development/capital costs.

Senior reviewers

A panel of individuals who are experts in public finance and survey methodologies who provided overall guidance during the survey process.

Sector/ Department/ Ministry:

These are a group of institutions that contribute towards a common function such as health, education, agriculture etc., service delivery. Kenyan counties use the terms sectors/ departments and ministries interchangeably, although some may distinguish when distributing or reporting budget expenditures.

Sector ceiling:

The maximum budget distribution/ allocations to each sector/department/ministry.

Sub-programme - It is the part of the programme created to deliver services and activities that contribute to achieving a program's objectives, i.e., projects.

Survey tools:

The survey tools for this survey included a detailed questionnaire, a catalogue with information upon which the questionnaire was generated and a questionnaire with sample information to help guide the researchers.

Kenya's County Budget Transparency Survey 2021

Executive Summary

The participation of citizens in the decisions that are taken by the government when formulating and executing their budgets is no longer in contention as a way of governance in Kenya. The debate has now moved to the quality and level of inclusion in the engagement between citizens and their national and county governments. The budget remains the most important policy tool to deal with inequalities and poverty. Therefore, having citizens, especially the poor and marginalized communities, at the centre of the budget decisions is a progressive step to ensure the outputs of such processes are more responsive to their needs. However, for participation to be meaningful and effective, citizens should have access to timely, comprehensive, relevant, and accurate information on budget decisions. In Kenya, this means that national and county governments must proactively share budget information on all key decisions throughout the budget cycle and within the legal timelines.

It is important also to note that the benefits of transparent budgets go beyond citizen engagement. Open governments are often found to be more credible, have better access to credit when they need to borrow and are prone to be more attractive to investors who are able to see the full picture of a county's fiscal position. Sometimes county officials have questioned the need to be transparent if they do everything right, but if a county is not open, who will know of these good plans and budget outcomes? Budget transparency is important for the public and oversight institutions such as parliament and supreme audit institutions that have more significant roles in monitoring the services whilst ensuring equity and participation principles are adhered to across the budgeting process.

The County Budget Transparency Survey 2021 has shown an improvement in overall county transparency by two points compared to the previous survey moving from 33 to 35 points. However, this score shows that citizens still have limited access to information on their county budgets, hampering their participation in the development and monitoring of service delivery through public budgets.

Even as the progress to more open budgets remains low, the survey found that some counties are making efforts to publish more budget information. This is mainly through having more budget documents posted online, while in other cases, there is an improved level of information in the documents that are publicly available. In addition, more counties have become more receptive to the findings of the survey as a result of the advocacy by IBP Kenya, county budget facilitators and champions. The report also shows improvement in the level of information provided within publicly available documents ranging from more details on revenue, priorities, expenditure with their desegregation and multi-year performance and projects, fiscal responsibilities, details on capital projects and non-financial information.

Even as that remains a challenge, a number of counties have embraced good practices by improving budget transparency and performance over the past two years. These are some of the counties that made the budget documents publicly available, which were not published in the previous studies. County governments should continue strengthening and adopting good practices to improve information on public participation.

The survey still finds a significant gap in reporting on budget execution. This remains an area of concern as analysis by IBP Kenya has consistently showed there is low budget implementation at the county level. Even where documents on execution are available, governments offer limited explanations for deviations from the approved budget, which further justifies the need for budget transparency.

This round of the survey also appreciated that certain key decision points during the budget impact execution and prioritization but cannot be measured in the standard survey. The key to this is supplementary budgets passed several times across the counties. Supplementary Budgets stage can make a significant shift in priorities that were in approved budgets, and counties should be open to the adjustments made by these documents. The County Budget Transparency Survey 2021 has considered a modular piece on the Supplementary Budget son the level of information provided to the public.

Key finding 1: Counties are becoming more transparent, but the pace is too slow

Counties are increasingly making more budget documents and information available to the public. This is seen by the improved average transparency index score from 33 out of 100 points in CBTS 2020 to 35 out of 100 points in CBTS 2021. However, this is just one-third of the information that should be publicly available, and that is still very low.

The number of publicly available budget documents has been growing, even though slow. The County Budget Transparency Survey 2021 finds that the proportion of budget documents that were publicly available improved to 42% from 40% in the CBTS 2020. The number of counties failing to publish a budget document had also reduced to only two in CBTS 2021 from 20 when the first Survey was conducted in 2015, and this has led to the growth in the number of budget documents made publicly available to counties in this period. Only Migori and Isiolo failed to publish a budget document in the CBTS 2021. However, this was an improvement compared to the CBTS 2020, when four counties failed to make any budget document available publicly.

The increased budget transparency score was a result of 24 counties making more budget documents publicly available. Kirinyaga, Nandi, Bomet, Mandera, and Wajir counties are among those with significant improvements.

Key finding 2: Counties are not consistent in making budget information publicly available

The survey found inconsistencies in how counties publish budget documents and maintain what they are already publishing. The County Budget Transparency Survey 2021 reveals that the number of counties publishing all the budget documents evaluated increased to three: Elgeyo Marakwet, Nyeri and Turkana, compared to only two in CBTS 2020.

West Pokot and Laikipia counties which had published all key budget documents in CBTS 2020, are among the 16 counties which stopped publishing at least one budget document they published in CBTS 2021.

The survey shows that counties make more budget documents available to the public at 74% during the budget formulation stage (Annual Development Plans and County Fiscal Strategy Papers were each published by 35 of 47 counties). However, budget documents in the implementation stage remain the least published.

On the positive side, the CBTS 2021 found that counties published 81 new budget documents that were not publicly available during CBTS 2020. Kirinyaga, Nandi, Mandera, Siaya and Bomet counties are the counties that published five or more budget documents on their websites when compared to CBTS 2020. However, a total of 46 budget documents that had been published in the 2020 survey were not published in the following year. To put this in perceptive, the overall score of the survey would have been 44 out of 100 points if counties had maintained the publication of the 46 documents. The top five counties that stopped publishing several budget documents include Tharaka Nithi, Isiolo, Marsabit, Kilifi, and Laikipia.

The survey found 27 counties that had their approved Programme Based Budgets which is an improvement from 21 in the 2020 round. However, only four Counties have publicly made their approved budget estimates (Programme Based Budgets) consistently available in the last four County Budget Transparency Surveys conducted by IBP Kenya between 2018 and 2021. These counties are Elgeyo Marakwet, Laikipia, Nyeri and Nakuru.

There was an improvement in the number of counties that published all the four quarterly budget implementation reports required for FY 2020/21 from five to seven in CBTS 2021. The seven counties are: Elgeyo-Marakwet, Nyeri, Turkana, Kirinyaga, Kitui, Laikipia and Siaya. However, the inconsistency challenge is also observed in this set of documents. Baringo, Kiambu and West Pokot did not publish all the four reports in the CBTS 2021, which they had done in the previous round of the survey.

Key finding 3: Budget documents provide incomplete coverage of required budget information

The CBTS 2021 reveals that only 9 of 47 counties provided more than half of the information required for comprehensiveness. For instance, on average, the CBROPs published had the highest score of 78 out of 100 points, while the Citizens Budgets publicly available disclosed the lowest level of information at 45 out of 100 points. The variation between the level of information provided in the published budget documents across counties is high as the survey revealed a specific county budget document providing all the details evaluated comprehensively and on the other hand a county budget document disclosing only 7 out of 100 points.

The counties concentrate on the financial information and leave out the non-financial information crucial in monitoring the services and connecting with the financial information. The level of information disclosed by counties on published budget documents on non-financial details is 48 out of 100 points.

Public participation information remains the least published. While the score remains very low, it improved from six in the CBTS 2020 to eight points out of 100 in CBTS 2021. However, all the 27 approved Programme Based Budgets published in CBTS 2021 provided no information on public participation.

Key finding 4: Counties are becoming more responsive in a quest to improve their level of budget transparency

The findings reveal that 25 counties had published at least one more document, and this increased the number of documents by 87, which were initially not publicly available before request. This shows that counties have become more responsive to the survey and are open to improve the level of budget information they make publicly available.

During the advocacy phase, the counties embraced peer-learning from the survey findings through joint meetings with the CSOs to discuss how they can improve budget transparency in their counties and utilize good practices that are available in neighboring counties.

Section 1: Introduction

Public budgets are some of the most important tools governments use to implement critical programmes and policies to provide basic services to their populations. Therefore, the government must publish its budget information and disseminate it to its citizens to ensure public and legislative oversight on how the government collects and spends resources. In addition, transparency is also vital in identifying issues of budget credibility and whether budgets are being executed as approved and definitions that should be corrected to improve efficiency in service delivery.

The constitution gives county governments significant budget-making powers from formulation and approval to execution of their budgets. This means that the sub-national units have a key obligation to share information with the public on all key budget decisions throughout the budget cycle. In addition, this goes hand in hand with ensuring that public deliberation spaces are informed with timely, reliable, relevant, and accurate budget information to support citizen engagement with their counties.

However, budget transparency is not just important during normal budget cycles but also during periods of emergency and events that disrupt the budget processes. The COVID-19 pandemic has, in many ways, augmented the need to open a budgeting culture at the national and county level. Budgets became the first tool that governments used to respond to the impact of the pandemic with issues ranging from emergency health services to social protection programmes. On the other hand, the government put in place various protocols and measures that posed a significant risk of directly undermining budget transparency and effective participation. The argument of the need to make budget decisions at speed in response to the emergency is not just enough of not doing so in an open and participatory manner. The CBTS 2021 covers the year 2020/21 financial year, which was the first full year of budget implementation at the peak of the pandemic.

As expected, many counties utilized supplementary budgets to effect changes that would allow for quick budget changes to respond to the pandemic and free up resources from non-priority areas. While these budget changes helped in the response, they may have changed some of the priorities initially deliberated by citizens without their consultations. This scenario shows the value of counties making public their supplementary budgets and opening them for debate during the approval process in the County Assemblies. It signifies the importance of the quarterly budget implementation reports that would capture such changes and the justifications for budget deviations from the originally approved budgets. As many citizens' livelihoods were threatened by the pandemic, which directly created the need for budget information, the knowledgeable-empowered citizens found innovative ways to ensure they put their governments to task and not miss the spaces of engagement with the budget information throughout the budget process. This falls within the International Monetary Fund (IMF) call for governments to do all they can to respond to the budget but keep the receipts. Budget transparency is at the core of the call for accountability, even during an emergency.

The County Budget Transparency Survey (CBTS) is an annual assessment of public budget information that counties are required to make available to the citizens. IBP Kenya conducts the survey with a collective effort from independent county-based civil society budget experts whose engagement with communities is heavily dependent on government budget information throughout the budget cycle. Therefore, the survey is carried out with a good understanding of the local government context and an understanding of what improved budget transparency can achieve.

This enables them to hold their county governments accountable for decisions through public budgets as central to responsive service delivery. Therefore, if the governments are not transparent about their budget, the process of consultation and oversight from citizens becomes very complex, if not impossible.

The CBTS 2021 comes at a time when Kenya is going through an electioneering period at the national and county level. A previously conducted survey by IBP Kenya showed a dip in transparency during an election period, particularly in 2017. However, the elections this time also come with an opportunity for county governments to make new commitments to be more open and inclusive in their budgeting processes, improving the credibility and legitimacy of their budget decisions. This opportunity is because about one-half of the counties expect new governments as the two-term tenure of their governors comes to an end. Therefore, the survey is meant to keep a spotlight on the level of openness and the new governments coming in will have a baseline to build up the level of openness in their counties.

Equally important, the survey collected good practices that emerged from various budget documents published by counties throughout the survey process. These good practices form an important body of work on which counties can craft improvements in budget transparency across their key budget documents. At the same time, this should only supplement what the National Treasury is required under Article 46(1)(b) of the PFM Act to assist county governments in building efficient, effective, and transparent financial management capacity. Evidenced by budget work around communities through budget facilitators and champions, there is a growing capacity of CSOs, helping drive demand. The researchers in this survey are a good example of what is driving that demand for budget information as required by the law and beyond on best practices. To improve budget transparency, counties need to take advantage of the opportunities that being transparent brings. For example, studies have shown that a good credit rating helps with borrowing, and in the near future, counties will start to borrow for their development as some have already been given the green light. However, what will happen if even making a basic budget document available to the public is seen as a threat by the public officials? Will they disclose the information about public debt?

Budget transparency is also a culture that can help governments better understand their budgets and pick out challenges that may affect efficient and effective service delivery. For example, the publication of budget implementation reports at the end of each quarter will help in tracking the level of budget execution and deeper thinking of why there may be deviations. Evidence from IBP Kenya's budget credibility research over the years shows that many counties do not meet their expenditure targets over certain time frames, as they spend less than what is approved for spending. For example, according to CoB, counties spent 77 per cent of their approved budgets during the four-year period between FY 2017/18 to FY 2020/21. The most affected is the development budget with only 56% of the approved budget utilized. The current budget performs better at an average of 89 percent of their approved recurrent budget. There are other challenges that citizens want to understand, such as the budget spending for personnel emoluments, which the PFM Act and regulations require counties to provide information.

One of the County Budget Transparency Survey goals is to ensure that comprehensive budget information is available on the official county websites on time and accurately, covering all the aspects of budget transparency as required by the Public Finance Management Act and its regulations.

Finally, budget transparency is a long-term investment that must be embraced across the counties, with some of the commitments achievable within a short period of time. For example, uploading a budget document on time will lead to a county having a better transparency score. Also, creating more public participation spaces and publishing information on how the feedback informed the decisions taken will see counties have better scores.

Also, county officials and those responsible for coming up with the templates to further re-look into the provisions of the law and ensure they capture all the required details. Using the guidelines and other tools in the County Budget Transparency Survey will result in counties having better budget transparency scores. Citizens will also access the information they require to track service delivery throughout the budget process in their communities. It is also apparent that in some counties, the county's top executives have taken a leadership role in ensuring that the technical officials uphold budget transparency by publishing budget documents.

The pillars of budget transparency: transparency, accountability, participation, and equity interconnections

If citizens cannot make connections on the budget information provided by the sub-national levels, then decisions on budget priorities are never of help to them in their focus areas such as fighting poverty, ensuring equity etc. This is even worse where governments have always made access to these key budget documents difficult for the public or irregularly provided the budget information.

Accountability: Transparency contributes to accountability on decisions and how they are executed. Clarity about the use of public funds is necessary so that public representatives and officials can be accountable for effectiveness and efficiency. It is essential in holding governments accountable by oversight institutions and citizens. Transparency contributes to accountability on decisions and how they are executed.

Public Participation: Transparency is facilitative to dialogue between government and citizens. Both the county executive and assemblies are required to provide citizens with an accessible summary of the implications of budget policies and an opportunity to participate in budget deliberations. When citizens have access to this information, it acts as the base for citizens' understanding to engage with their governments on budget matters and make decisions. Transparency helps even poor and marginalized communities to access information and engage with budget processes.

Equity: Budget decisions can profoundly affect the interests and living standards of different people and groups in society; transparency involves an informed and inclusive debate about the impact of budget policy. Transparency ensures that information is accessible to all, including poor and marginalized communities, helps all citizens engage with budget processes and ensures there is equity in who has access to budget information. Equity in access to budget information is especially critical for the marginalized and vulnerable groups. Government officials also require information to monitor both budget implementation and the progressive address of any arising issues within counties. This is one of the reasons why the County Budget Transparency Survey has considered a modular research piece that focuses on understanding equity in counties and supplementary budgets, which have often been blamed for the shift in priorities without considering the already deliberated priorities equitably.

Additional analysis in the County Budget Transparency Survey 2021

The release of CBTS 2021 comes with two additional modular research pieces that still touch on issues of budget transparency but could not be measured directly through the survey. Supplementary Budgets have become a common part of the budgeting process at the county level and are sometimes seen as the "real" approved budgets. However, these revised budgets are rarely made public for the citizens to see the adjustment they make and how that may affect the initially funded priorities.

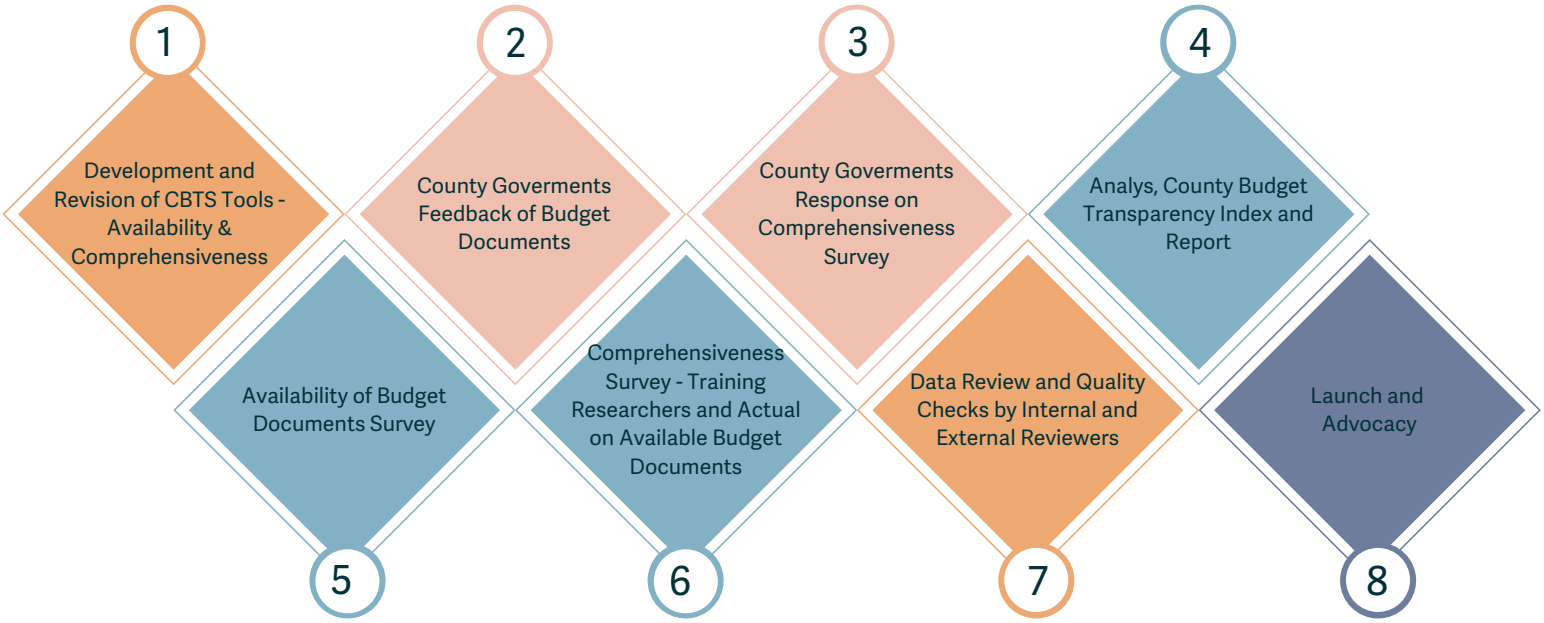
In addition, the law does not provide any opportunities for the public to deliberate on this revision of priorities. Therefore, the piece of supplementary budgets provides a snapshot of transparency when it comes to the availability of supplementary budgets and the information they provide.

he second piece assesses the level of information that counties provide in their documents to show there is equity in their resource's allocation in the budget documents.

Counties have made slow and irregular progress in budget transparency by disclosing little information in the budget document's comprehensiveness. This is in spite of demands for the required information in the legal framework by budget practitioners. There is a need to identify how open each county is to support citizens and CSOs advocating for more open budgets and supporting counties looking to be more open. The law is the benchmark for the budget assessment tools used to conduct the budget transparency survey among sub-national governments.

The CBTS 2021 was carried out through an open, simple, replicable, and robust process that ensured each county was evaluated fairly and in a standard way that could be compared to other counties. The goal of the process is not to set up counties for failure, but instead provide a consultative process that can help counties use the survey to see areas of weakness in their budget transparency as well as how they can improve by borrowing from the best practices observed in other counties.

The County Budget Transparency Survey Methodology and Process



The methodology used in the CBTS 2021 was similar to that used in the 2020 survey. Therefore, there was no significant shift in the tools used to measure and generate the budget transparency index for 2020/21 financial year. The process included:

1. Development and Revision of the Survey Tools: June – July 2021
    - Availability Tool: The spreadsheet tool was used to check for the availability of 10 key budget documents on the official county websites. The availability component of the survey contributes to 30 out of 100 points.
    - Comprehensiveness Tool: This is a questionnaire that evaluates the level of information disclosed by counties in seven key budget documents found publicly available on the official county governments' websites. The tool is made up of 75 questions covering the seven key budget documents that were under review, and they are drawn from what the public finance laws require for each document. The comprehensiveness component contributes to 70 out of 100 points.

2. Availability Survey and the Actors Involved: August 2021
    - The Availability Survey commences in August when the timeline for publication of the final budget document, the 4th Quarter Implementation Report, has ended, which is required by law to be published by July 31[1].
    - The Availability Survey is conducted by IBP Kenya staff in three sets of pairs of researchers in a round-robin format to ensure the results are accurate and the process is thorough. The draft results are then shared with four key offices in all the 47 counties, giving them an opportunity to comment on the accuracy of the results. The draft results are shared in hard copy through courier services and followed up with e-mails to the same four offices, which include 1) the Governor, 2) County Executive Committee Member for Finance and Planning, 3) the Director of Budget, and 4) The Clerk of the County Assembly. The Counties are given two weeks to respond to the draft results, and that may include uploading the budget documents they have produced but are not public.
    - After the two weeks, the availability survey process described above is repeated, and this forms the final Availability Survey Results, which informs the budget documents to be evaluated comprehensively.

3. Comprehensiveness Survey and the Actors involved: September – November 2021
    - This is a comprehensive check on the level of information provided in the available budget documents and involves more actors compared to the Availability Survey. The actors include 1) Researchers, 2) Reviewers, and 3) Senior Reviewers.
    - Researchers: IBP Kenya engaged 20 researchers drawn from a pool of budget practitioners referred to as Budget Facilitators and Budget Champions[2], who underwent in-depth training on the Comprehensiveness Tool and how to utilize it. The uniqueness of the County Budget Transparency Survey is its simplification built on the ownership of that local context.
    - Reviewers: This is a pool of budget practitioners made up of IBP Kenya staff, IPF Kenya staff and Budget Facilitators. Their primary role is to support the researchers to ensure consistency and accuracy throughout the Comprehensiveness Survey. They support the researchers in following the survey methodology, particularly the guidelines for answering survey questions where there is no clarity in choosing the suitable options on the questionnaire.
    - Feedback to Counties: This was done in October 2021 when IBP Kenya shared the draft Comprehensiveness Survey results with all the 47 counties to enable them to comment on the accuracy of the draft results. The results were shared in the same manner as the Availability Survey results, but the period given to the counties was one month. Guidance is provided to the counties on how to review and respond to the results. Upon the lapse of one month, the feedback received is incorporated and forms part of the final Comprehensiveness Survey results.
    - Senior Reviewers: These are experts in the Public Finance Management space and do the final quality check on the Comprehensiveness Survey results and the general survey process.

[1] See Annex 3 for more information on timeliness of Key Budget Documents.
[2] IBP Kenya and Uraia Trust have continually built the capacity and trained over 70 budget facilitators across 36 counties in Kenya. There are also over 800 budget champions, trained by the budget facilitators, across these counties.

4. Final Quality Checks and Generation of the Report: This is the final step in the survey process and is done by IBP Kenya staff. It involves cross-checking the options picked by the researchers and reviewers. Further, it involves the incorporation of feedback received from the Senior Reviewers.

5. Launch, Dissemination and Advocacy: The County Budget Transparency Survey is not an end in itself. Therefore, the results are publicly launched and disseminated to spur conversation about the level of transparency by county governments. The results form the basis of engagement with county governments in the quest to have more counties being more transparent.

Section 2: Key Findings of the County Budget Transparency Survey 2021

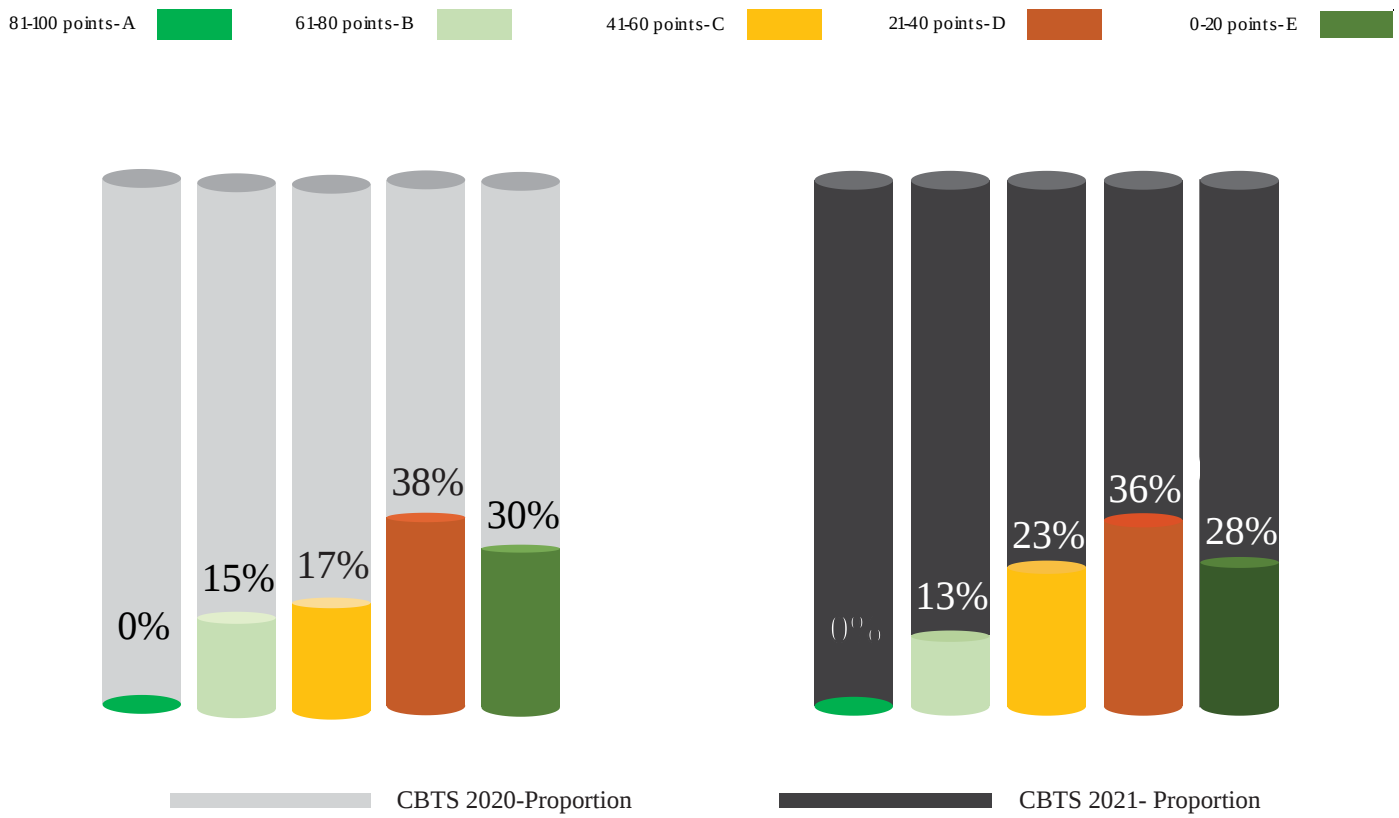
35/100

The average County Budget Transparency score across the 47 counties.

The average index score for County Budget Transparency Survey 2021 is 35 out of 100 points, compared to 33 out of 100 points in the County Budget Transparency Survey 2020.

The County Budget Transparency Survey classifies counties into five categories depending on the level of information provided, that is, from A to E[3]. No county scored an A in the CBTS 2021, as was the case in CBTS 2020. While this is only for categorization and ranking, counties are required to disclose full information in their budget documents.

Figure 1 shows how counties performed by categories:

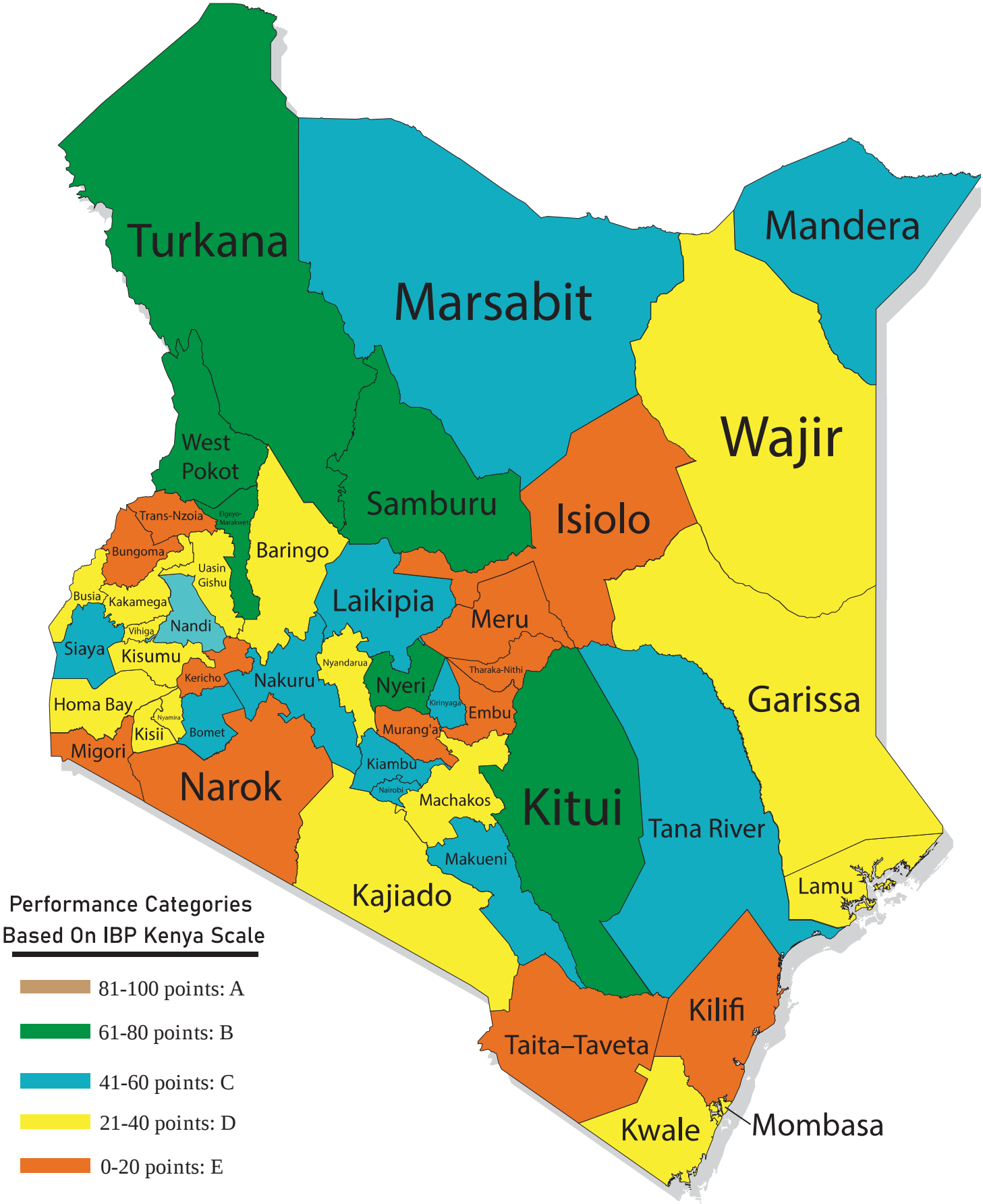


Source: IBP Kenya CBTS 2020 & CBTS 2021 Data Analysis

[3] CBTS performance categories: A: 81-100 points, B: 61-80 points, C: 41-60 points, D: 21-40 points, and E: 0-20 points.

Only six counties, representing 13 percent, fell in the second category by scoring between 61-80 points. These counties are: Nyeri, West Pokot, Elgeyo Marakwet, Turkana, Samburu and Kitui. These counties improved by publishing at least one budget document they lacked in previous surveys or maintaining except West Pokot, which stopped publishing one budget document. It is worth mentioning that all these counties except Kitui county were also in the same performance category in the CBTS 2020. In addition, two counties, Laikipia and Makueni, which in CBTS 2020 had more than 70 out of 100 points, dropped from this category by scoring 51 and 55 out of 100 points respectively, in CBTS 2021.

Figure 2: The Map of Kenya: County Budget Transparency Index 2021



There was an increase in the number of counties scoring between 41-60 points from 8 to 11, representing an increase from 17 percent in CBTS 2020 to 23 percent in CBTS 2021. Counties that dropped from the higher category in CBTS 2020, i.e., Laikipia and Makueni, ended up in this group in CBTS 2021. Eight new counties in the lower categories of below 40 out of 100 points in CBTS 2020 improved and ended up in this category in CBTS 2021. Kirinyaga county which did not publish any budget document in CBTS 2020, published nine budget documents in CBTS 2021 that saw it score 59 out of 100 points. Also, Nandi county scored 57 out of 100 points from 10 out of 100 points in CBTS 2020. Other counties that had their scores fall within this category include Mandera, Nairobi, Kiambu, Tana River, Nakuru, Bomet, and Siaya.

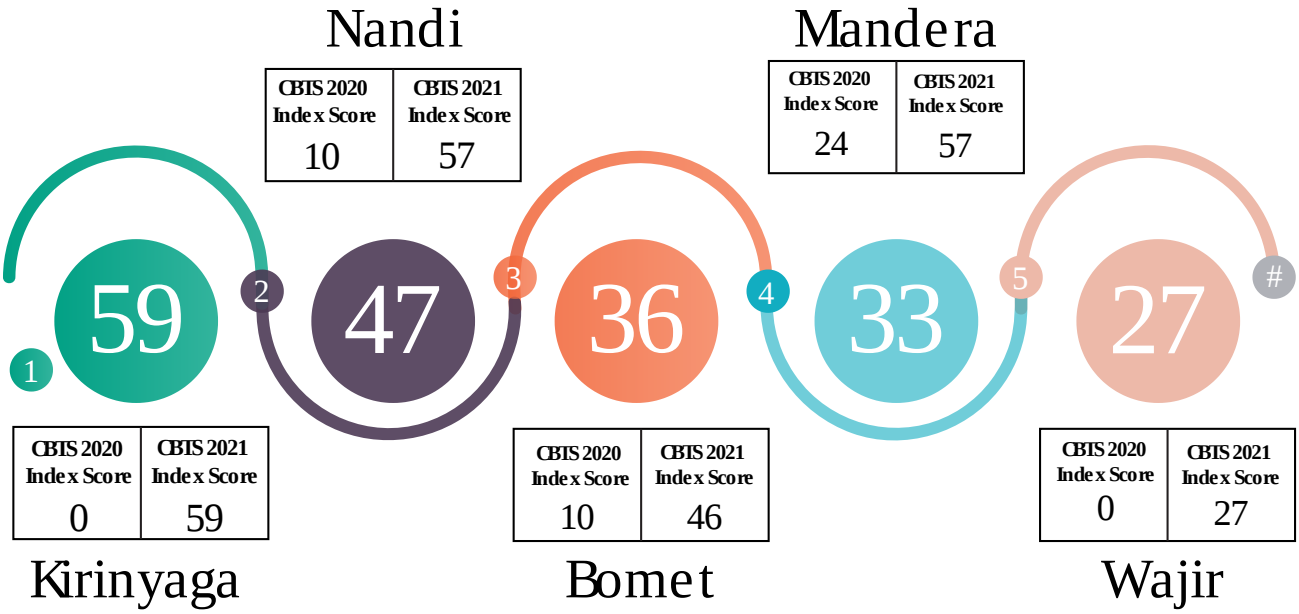
The County Budget Transparency Survey 2021 findings showed that 72 percent of the counties provided information below the 50-point mark. This is almost three-quarters of counties providing quite limited information on their budgets and an indication of the challenge to engage with county governments.

n the fourth category, which has counties that scored between 21-40 points, there is a slight improvement, with the proportion of counties in this category decreasing by two percentage points from 38 to 36 percent. However, it remains the category with the largest number of counties among the five classification scales. There are five counties, including Kakamega, Machakos, Vihiga, Baringo and Nyandarua that were in the upper category 41-60 points in CBTS 2020 and have now dropped to this category. These are among the counties that stopped publishing some key budget documents. The counties that published more information and improved from the lower category 0-20 points include Busia, Garissa, Wajir, Lamu and Homa Bay.

25 counties improved in CBTS 2021 Index by at least one point compared to CBTS 2020 findings.

Three key budget documents, the County Budget Review and Outlook Paper, the County Fiscal Strategy Paper and the Finance Act had budget documents that scored A between 81-100 points. These contributed to 13 per cent of all the published budget documents. No county's budget documents scored above 80 points in four other key budget documents.

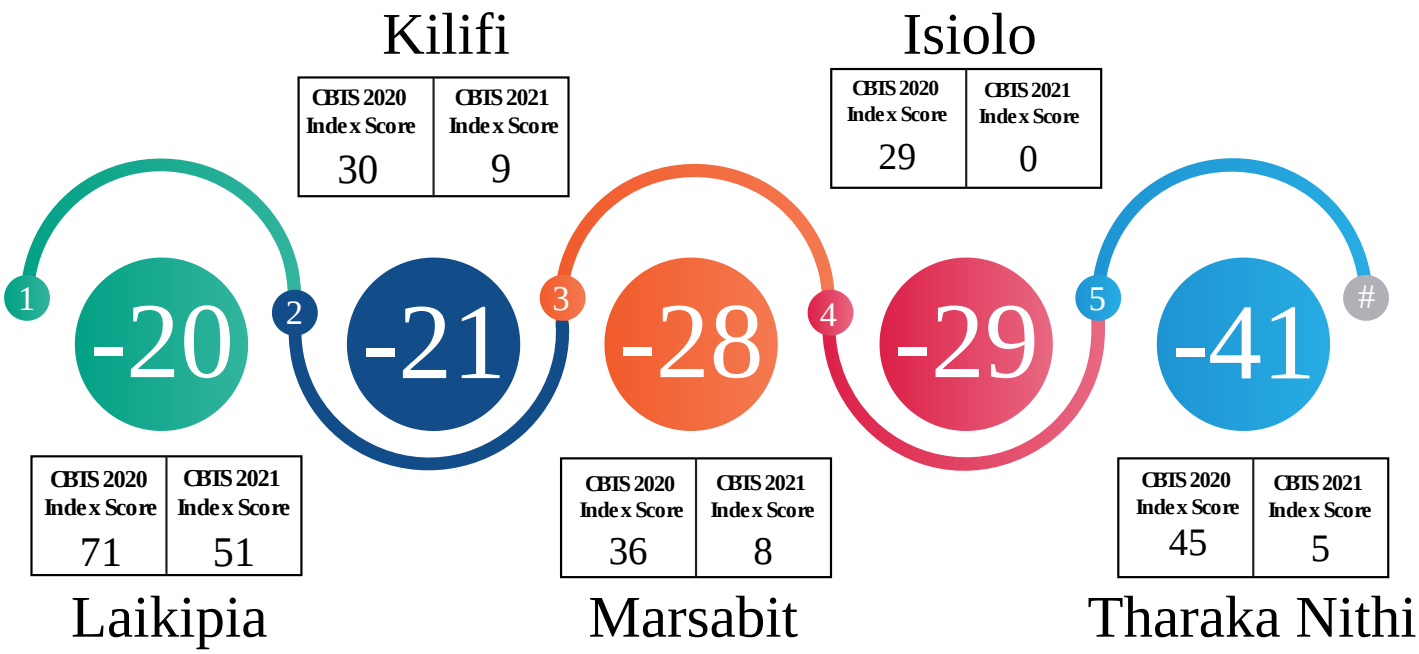
Figure 3: Five most improved counties in CBTS 2021 compared to CBTS 2020



Source: CBTS 2021 and 2020. IBP Kenya Analysis

13 Counties fell in the last category and only provided information between 0-20 points. Among the 13 counties, ten counties were those that dropped from the upper performance categories. Figure 4 shows five counties with the largest drops in CBTS index, ending up in the category of 0-20 points, i.e., Tharaka Nithi, whose score dropped by 41 points compared to the score in CBTS 2020, Isiolo, Marsabit and Kilifi also contributed a large part to the drop in the index.

Figure 4: Five counties that declined the most in CBTS 2021 compared to CBTS 2020



Source: CBTS 2021 and 2020. IBP Kenya Analysis

Trans Nzoia, Taita Taveta and Narok counties remained in this least performance category. However, it is worth noting these three counties recorded some improvements as compared to the performance in the CBTS 2020.

Figure 5: The County Budget Transparency Index 2021 Compared to 2020

Source: IBP Kenya CBTS 2021 & CBTS 2020 Data Analysis[4]

[4] See annex 1 on the availability of Key Budget Documents in the CBTS 2021

The CBTS 2021 Key Findings: Are there efforts by Sub-national governments to improve Budget Transparency?

The overall results paint a mixed picture of constant good performers such as Nyeri, West Pokot, Elgeyo Marakwet, Turkana and Samburu counties. It also shows the level of inconsistency in making budgets open in many other counties that did not publish documents that they had published during the CBTS 2020. This is a key reason why the annual frequency of the County Budget Transparency Survey keeps pointing to possible gaps and areas that counties can do more to improve their budget transparency. However, even where budget documents are published, the level of information shared is limited even when the law highlights the type of details they should provide.

Key Highlights on the Availability Component

The number of publicly available budget documents has been slowly growing over years. For example, the County Budget Transparency Survey 2021 recorded an improvement to 42 percent from 40 percent in CBTS 2020 despite counties stopped publishing 46 budget documents that were previously publicly available in CBTS 2020.

Availability trends shows that counties failing to publish even a single budget document have significantly dropped from 20 counties in CBTS 2015 to only two in CBTS 2021. Migori and Isiolo failed to publish a single budget document in the CBTS 2021 and did not score any points in the survey in the current survey. However, this was an improvement compared to the CBTS 2020, where four counties failed to make even a single budget document publicly available.

The County Budget Transparency Survey 2021 shows the number of counties publishing all the budget documents evaluated increased to 3 (Elgeyo Marakwet, Nyeri and Turkana) from 2 (West Pokot and Laikipia) in CBTS 2020, also showing inconsistencies in how counties make the budget documents publicly available.

2

Counties failed to publish even a single budget document in the CBTS 2021.

42%

Proportion of budget documents are publicly available-An improvement of 2% from CBTS 2020

The increased budget transparency recorded at the sub-national levels resulted from 24 counties making more budget documents publicly available. Kirinyaga, Nandi, Bomet, Mandera, and Wajir counties are among those with significant improvements.

Notable, 23 counties failed to sustain improvements and 16 counties published at least one less budget document than they published in CBTS 2020, making them drop on the budget transparency scores compared to County Budget Transparency Survey 2020. These are the counties that led to lower levels of budget transparency scores.

The County Budget Transparency Survey 2021 results show that during Budget Formulation and Approval Stages, counties make more budget documents available to the public. For instance, at the formulation stage, the Annual Development Plans and County Fiscal Strategy Papers are most published by the counties at 74% each, even though nine counties failed to publish both. These include Baringo, Bungoma, Isiolo, Kwale, Migori, Narok, Nyamira, Taita-Taveta and Tharaka Nithi.

On the other hand, the implementation-related documents remain a challenge as the County Quarterly Budget Implementation Reports are still the least published budget documents, with the 4th Quarter Budget Implementation Reports being published by only 19 per cent of the Counties. In comparison, 1st and 2nd implementation reports are only published by 23 per cent of the counties.

Even though evidence shows that counties are becoming responsive, 53 per cent of published at least one more budget document online that was not publicly available before IBP Kenya shared the results for their review. These included publishing final approved budget documents, which led to an increase of 87 more budget documents made available to the public.

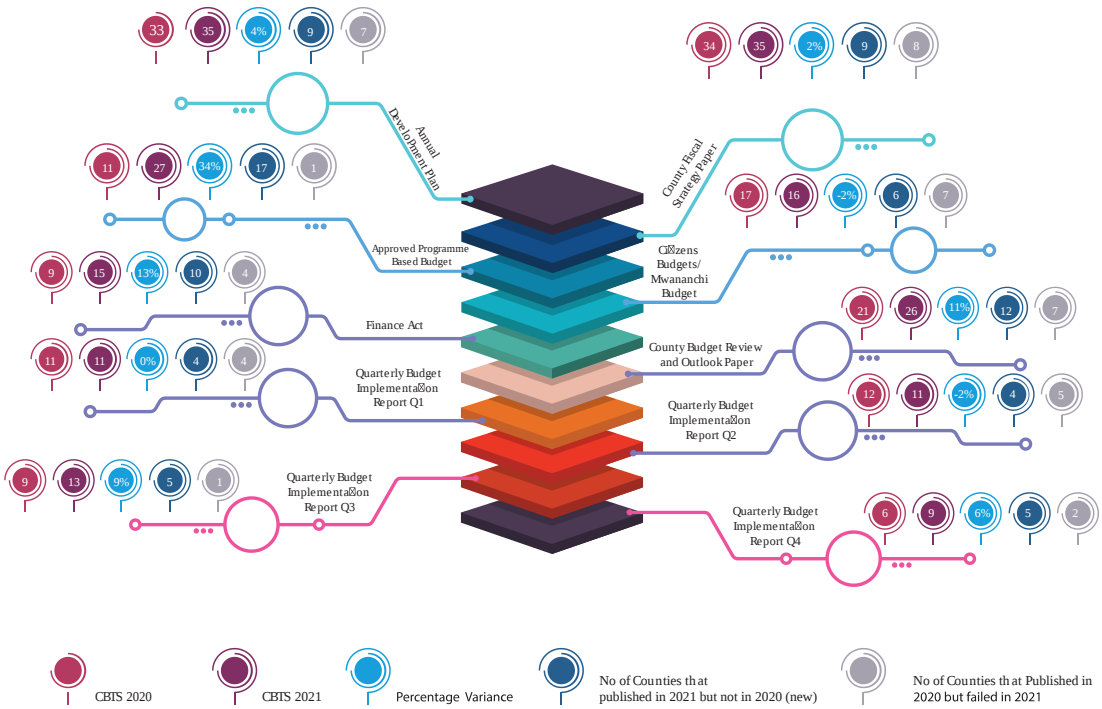
In-Depth Analysis: The Availability of Budget Documents Findings

1. There is Growth in Public Availability of Key Budget Documents

Figure 6 shows seven out of 10 budget documents recorded growth in the number of counties that published them. Approved Programme Based Budgets had the highest growth, increasing by 16 documents.

In this table, it is important to highlight that a number of counties stopped publishing some budget documents, and on the other hand, new counties took steps to start publishing budget documents. Overall, the number of counties that published documents for the first time was higher than those that stopped publishing budget documents previously published in CBTS 2020.

Figure 6: Consistency in Publishing Key Budget Documents: Comparison of CBTS 2020 and 2021

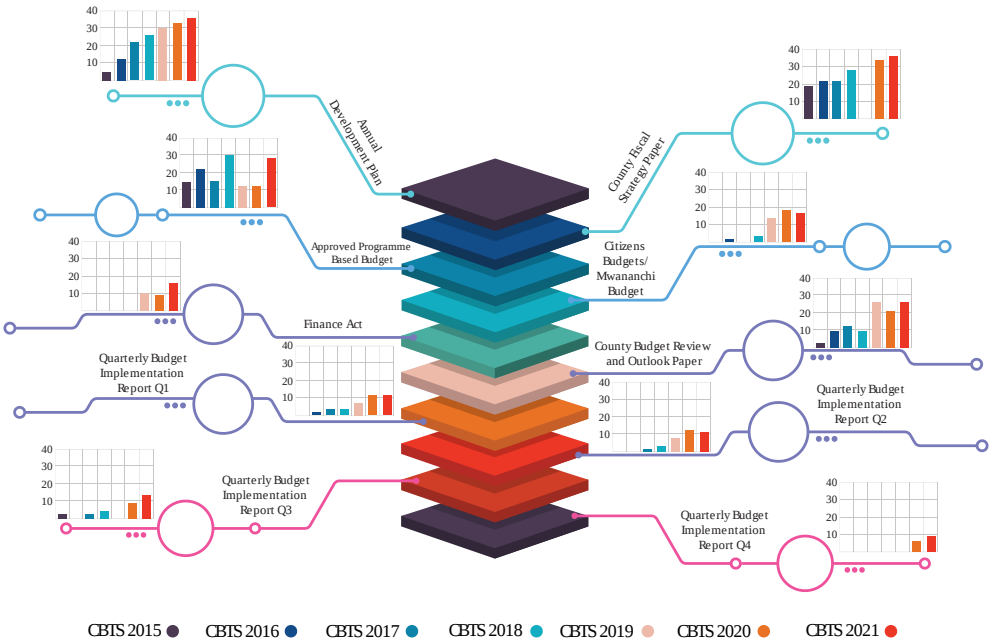


2. Budget transparency could be better if counties do not stop publishing previously availed documents.
In this survey round, counties did not publish 46 budget documents that had been published in the previous round of the County Budget Transparency Survey 2020. This is a significant number of documents that, if counties had still published them, the availability score would have been at 52 per cent, ten percentage points above the current score. The publication alone would have pushed the CBTS index score to 38 points and would have been 44 out of 100 points when comprehensiveness points are added. Therefore, this is a key area of concern and a clear indicator of the importance of counties consistently publishing their documents. However, it is encouraging to note that counties published 81 new budget documents that had not been published in the CBTS 2020. Some of the top five counties that stopped publishing more than three budget documents include Machakos, Tharaka Nithi, Vihiga, Makueni and Laikipia in CBTS 2021 compared to CBTS 2020. This is not a new issue, as budget practitioners have always pointed out that counties published budget documents on their websites and pulled them down after some time.

3. The quest for more growth: Comparisons on the number of budget documents by counties.
The CBTS 2021 results further show that 24 counties recorded an improvement by publishing at least one more budget document compared to CBTS 2020 results. However, 16 counties stopped publishing at least one budget document that was previously published in CBTS 2020. Turkana, Elgeyo Marakwet and Nyeri counties published all the ten key budget documents that were under assessment in CBTS 2021, and these three counties were also among those that published above 80% of the budget documents online evaluated in CBTS 2020. Findings further show that Kirinyaga, Nandi, Mandera, Siaya and Bomet counties are the counties that published five and more budget documents on their websites when compared to CBTS 2020. While the increase in making budget documents publicly available is welcomed, more than 50 percent of all budget documents are still not publicly available in counties.

4. The trends towards achieving better transparency, a focus on individual budget documents
At the start of the County Budget Transparency Survey in 2015, the number of counties failing to publish budget documents has significantly reduced from 20 counties to only two in the CBTS 2021. Even though only 42% of budget documents are available online, this improved by two percentage points compared to CBTS 2020.

Figure 7: Summary of Publicly Available Key Budget Documents: CBTS 2015-CBTS 2021



Source: CBTS 2015 to CBTS 2021. IBP Kenya Analysis

Consistent Growth in Two Budget Documents: PBBs and CFSPs Published by Counties

One of the notable highlights from Figure 7 is the consistent yearly growth in the number of Annual Development Plans from only 4 in CBTS 2015 to 35 in CBTS 2021. The County Fiscal Strategy Papers has steadily increased from 19 to 35 in CBTS 2015 and 2021, respectively. The approved Programme Based Budgets and Citizens Budgets have kept sporadic trends, but Implementation Reports show some growth, i.e., quarters 3 and 4, even though poorly published by counties.

Box 1: Thirteen Counties Published Both Approved Programme Based Budgets and Citizens Budgets in CBTS 2021

Following the County Budget Transparency Surveys conducted by IBP Kenya from 2018 to 2021, only four Counties have consistently made their approved Programme Based Budgets publicly available. These counties include Elgeyo Marakwet, Laikipia, Nyeri and Nakuru. Additionally, when compared to the County Budget Transparency Survey 2020, the number of counties publishing both approved Programme Based Budgets and Citizens Budgets increased from 8 to 13 counties, an improvement that will effectively enable citizens to engage with budgets. It is also worth mentioning three counties, Homa Bay, Mandera, and Tharaka Nithi, only published the Citizens Budgets, and this is seen as a disconnect simply because the two budget documents directly support each other.

Availability County Quarterly Budget Implementation Reports (CQBIRs) is improving, but progress is slow and inconsistent?

Quarterly budget implementation reports remain the least published budget documents by counties on their official websites. Some of the issues with availability include:

- There was an improvement in the number of counties that published the four quarterly budget implementation reports for FY 2020/21 from five to seven counties in CBTS 2021. The seven counties are Elgeyo-Marakwet, Nyeri, Turkana, Kirinyaga, Kitui, Laikipia and Siaya. However, three counties, Baringo, Kiambu and West Pokot, with the four reports in the previous survey, did not keep the trend in the CBTS 2021.
- Even as implementation reports remain the least published, the survey found no common understanding of what it should entail. The Public Finance Management Act has provided what an implementation report should provide broadly as the financial and non-financial details, but a number of counties provide the financial statements or project update reports instead of the implementation reports. Even though the Public Sector Accounting Standards Board has been given the mandate, counties have no clear guidance on preparing their implementation reports, which makes it difficult for citizens to monitor the budget, resulting in transparency challenges.

Box 2: Bridging the Gaps: How long will it take counties to be fully transparent?

With action, counties can perform better in budget transparency. In the CBTS 2020, Kirinyaga county had no budget document publicly available. The county published the budget documents as a result of social media pressure and public demand for budget information. In the CBTS 2021, the county is the most improved with 59 out of 100 points by publishing nine out of 10 budget documents.

Nandi county showed commitment to improving budget transparency. The government officials are proactive to have the budget documents published online. These two counties published implementation reports even though the disclosed information in Kirinyaga county was only 36 out of 100 points, while Nandi county Implementation reports revealed 58 out of 100 points. This shows more details are not provided to the public to enable them to monitor the services and county assemblies are unable to play their oversight roles effectively.

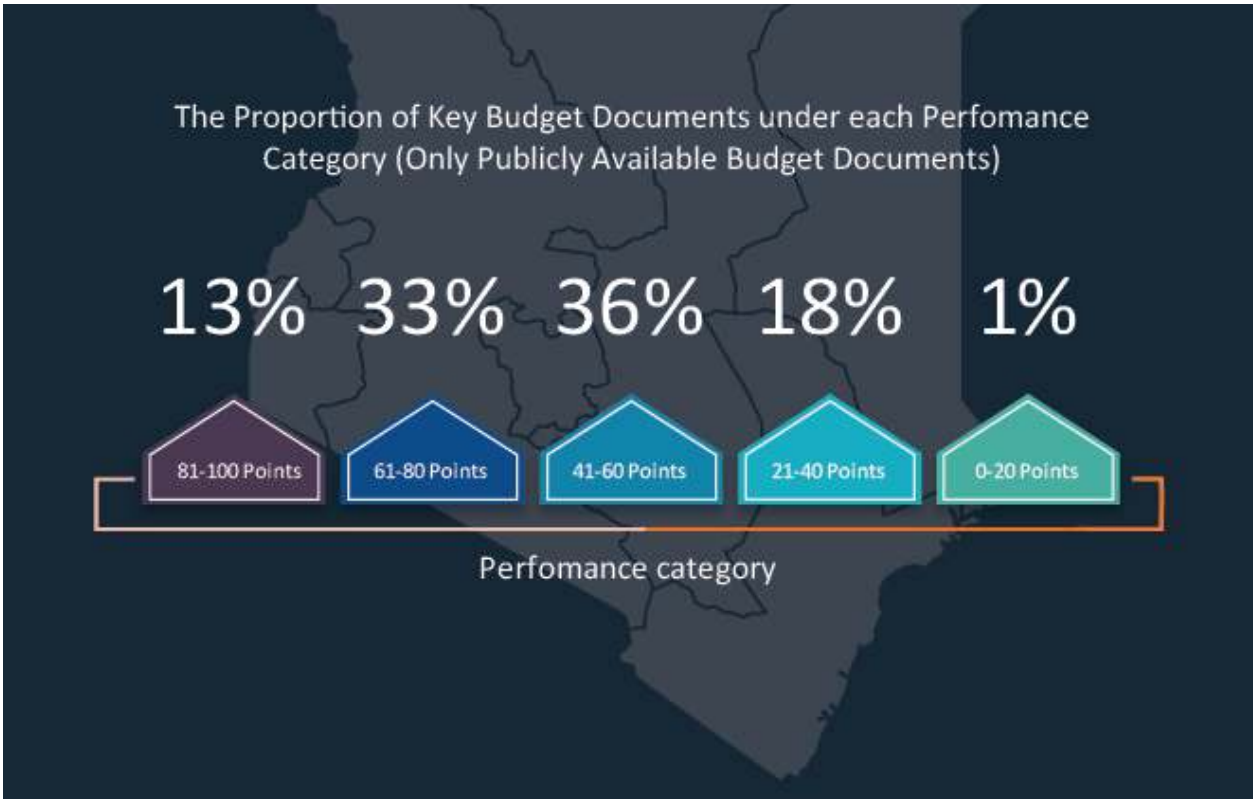
Section 3: Comprehensiveness of the Available Budget Documents

Interaction between citizens and their government should be based on free access to information that could help both sides' decision-making. An active citizenry on budgets and responsive budgets would require that citizens know what informs governments' proposals and decisions. This means the public should have access to information on government revenue and proposed expenditure and the reasoning behind these proposals. Citizens cannot meaningfully engage with the government if they do not have information in good time that inform the decisions, they are being asked to participate in. Therefore, budget transparency is a key cog in the wheel that turns the democratization of budgets. Kenyan PFM laws go a long way in describing when different pieces of budget documents should be published and publicized. The PFM regulations describe the publication of the documents as a key enabler of public participation.[5]

The Kenyan context dictates that the budget information should be published online on the county's official websites, which has been the basis for the dialogues between the governments and citizens over the years. It is crucial that the information provided in the published budget documents is comprehensive enough to cover all the details required in the PFM Act and related regulations and guidelines from the national government institutions.

Key highlights on Comprehensiveness of Budget Documents in the County Budget Transparency Survey 2021

Figure 8: The Overall Comprehensiveness of Available Budget Documents by Performance Categories



[5] Regulation 7, part 3

- One per cent of the published Budget documents scored E as they provide information between 0-20 points.
- Thirty-six per cent of the published budget documents scored C, which means they provided information between 41-60 points.
  - Though slow, the CBTS 2021 recorded an improvement of 2 points, which resulted from an improvement of one point on the availability of the budget documents and an improvement on the comprehensiveness component by also one point.
  - The levels of information provided in each thematic area continue to vary, with three thematic areas providing information of more than 60 out of 100 points: Information on priorities, expenditure information and information on fiscal responsibilities at 64, 62 and 61 out of 100 points, respectively. On the other hand, information on public participation spaces remains the least published, just like the previous survey. This set of information had a score of 8 out of 100 points.
  - The variation gap between the level of information provided by each county in the published budget documents is big. For example, Kitui county Citizens Budget only provided 7 out of 100 points of the required information while Kajiado presented 69 out of 100 points as in figure 9 and figure 10. In addition, looking at the implementation reports, the highest score was from Baringo county at 78 out of 100 points, while the lowest score was the Elgeyo Marakwet implementation report at 13 out of 100 points as in figure 10.

Figure 9: The Level of Information Disclosed Comprehensively by Top Counties per Budget Document

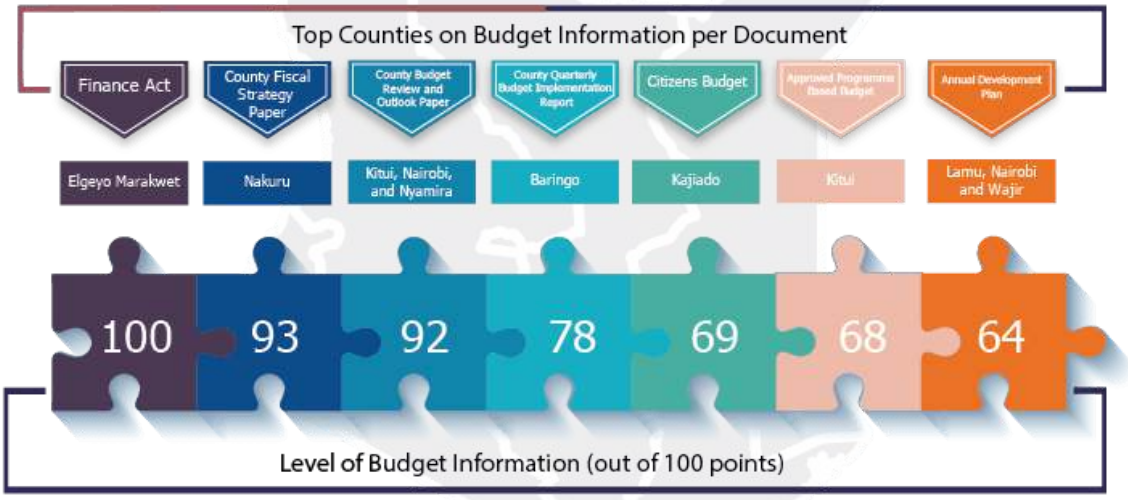
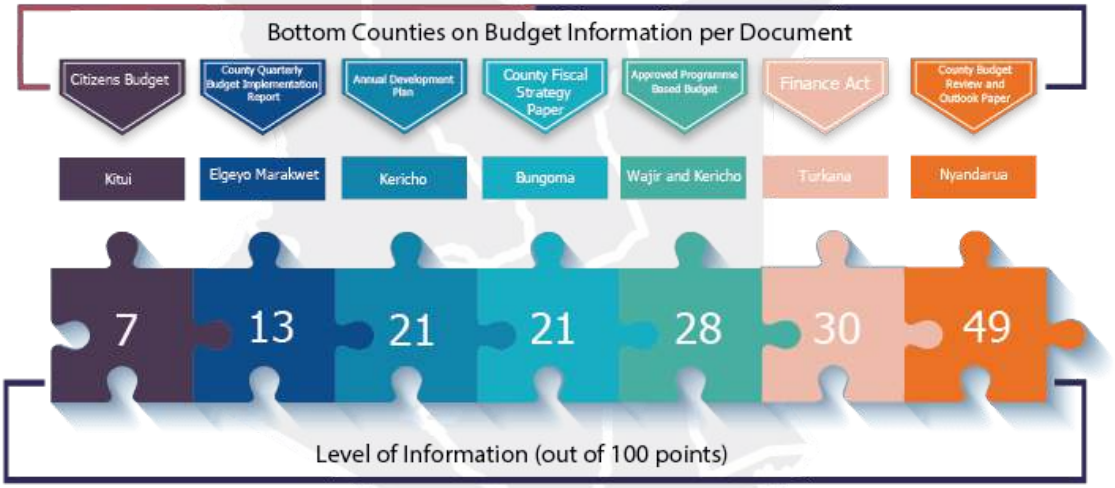


Figure 10: The Level of Information Disclosed Comprehensively by Bottom Counties per Budget Document



Source: IBP Kenya CBTS 2021 Analysis

information on public participation.

- The County Budget Transparency Survey results showed that more than 72 per cent of the counties provided less than half of the information required. The Annual Development Plans and Approved Programme Based Budgets present most non-financial information details, but the same information is lacking in 86 per cent of the published quarterly budget implementation reports.
- All County Budget Review and Outlook Papers published presented the information on the previous year's revenue performance, but 63% of published ADPs lacked the information on revenue targets from three major sources. Also, 84% of published approved Programme Based Budgets lacked information on at least two years of historical performance on revenue by three major sources.
- Even though there was an improvement in the level of information provided by counties on public participation to eight out of 100 points compared to the CBTS 2020, when the information was six out of 100 points, all the 27 Approved Programme Based Budgets published in CBTS 2021 provided no information on public participation.

Comprehensiveness in details – Do Available Budget Documents Provide the Required Level of Detail?

Even where budget documents are published, they often lack the crucial details that the Public Finance Management Act and its regulations require counties to provide to the public. Table 1 presents the number of budget documents that were published by the counties in the County Budget Transparency Survey 2021 and the level of information on the budget documents that were found available to the public. A review of the comprehensiveness of the available budget documents shows that County Budget Review and Outlook Paper provides 78 out of 100 points on average, while the Citizens Budget provides the least information at 45 out of 100 points. The budget information is connected throughout the budget cycle. For example, a county may provide information on capital projects or information at a programme and sub-programme levels in the Annual Development Plan and fail to report the progress of similar information at the implementation stage. For example, Bomet county ADP has all details on capital projects but no similar details in Programme Based Budget. Another example is Elgeyo Marakwet county which does not present any details on capital projects in the Annual Development Plan and presents only location and allocation in the approved Programme Based Budget and even more details in the implementation reports on capital projects. It simply means scantiness of such information leads to challenges in identifying exact plans and priorities that counties have for citizens as well as poor and marginalized communities. Scanty information also poses challenges in monitoring the implementation of such budgets by not only the citizens but also the county assembly officials and other oversight institutions.

Table 1: The Comprehensiveness of the Publicly Available Budget Documents

The Number of Counties Publishing Budget Documents & The Average Comprehensiveness Scores for Publicly Available Budget Documents in CBTS 2021

Stage of Budget Cycle	Key Budget Documents	Number of Budget Documents Publicly Available (out of 47)	Percentage of Budget Documents Publicly Available	The Average Level of Information Disclosed Comprehensively by Publicly Available Budget Documents (out of 100 Points)
Formulation	Annual Development Plans - Frames the development plan for a county for each coming financial year. In addition, it allows counties to update their priorities set out in the CIDPs in line with any emergent issues in the budget, the economy, and political matters that may affect the viability of pre-set priorities in such long-term policy documents.	35	74%	48
	County Fiscal Strategy Papers - A policy budget document that provides information on the upcoming financial year's fiscal policy, which includes the total size of the budget, key priorities as well as departmental ceilings.	35	74%	62
Approval	Approved Programme Based Budgets - Informs the distribution of all resources available to the county for each financial year, detailing available expenditure for recurrent and development expenditure needs.	27	57%	50

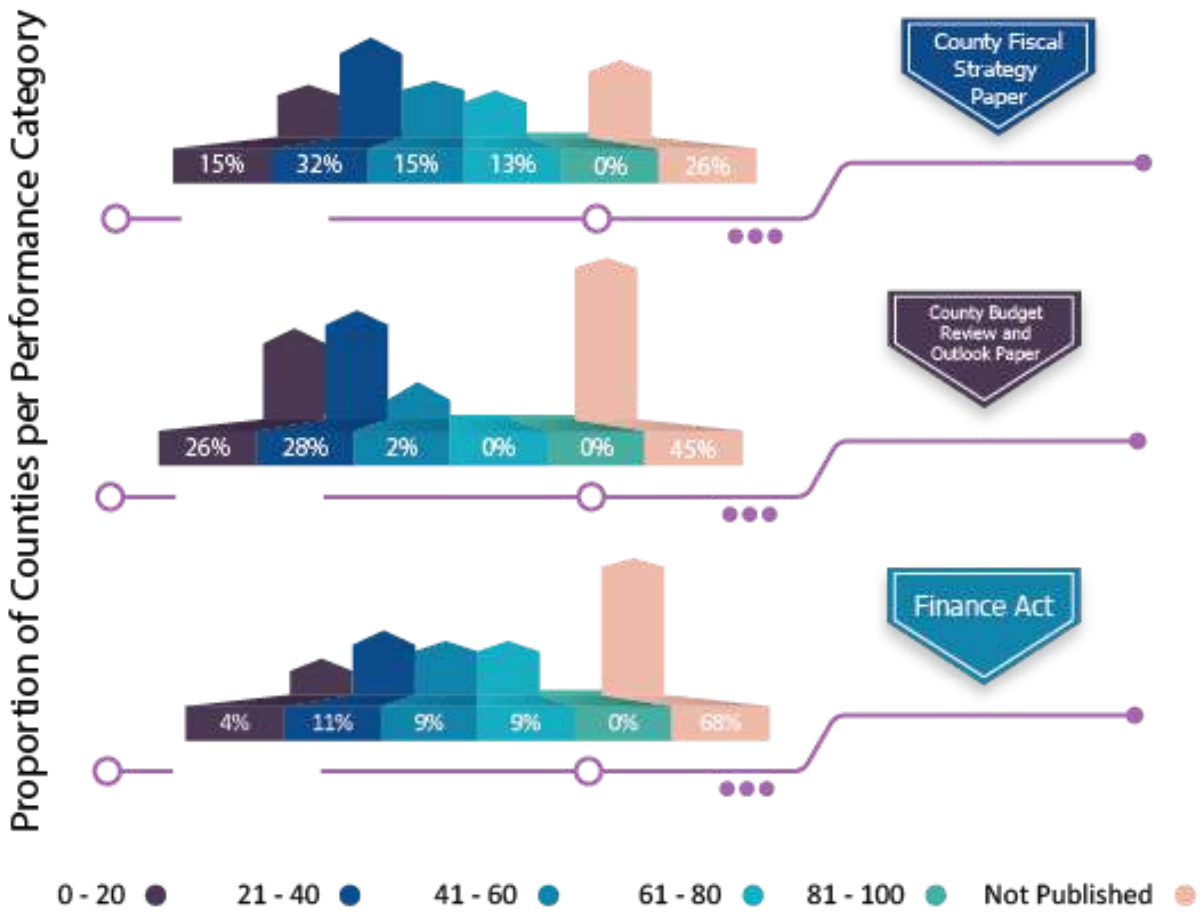
	Citizens Budgets - A simpler and less technical version of the Programme Based Budget. Counties are encouraged to produce other budget documents.	16	34%	45
	Finance Acts - contain a provision regarding taxes, duties, levies, and charges and help county governments improve their revenue collections/ bases by identifying new revenue streams and strengthening existing revenue laws.	15	32%	65
Implementation	Quarterly Budget Implementation Reports - This allows governments and citizens to monitor the subnational budget implementation status and identify implementation challenges to be rectified on time to ensure effective service delivery.			58
	Quarterly Budget Implementation Reports Q1	11	23%	
	Quarterly Budget Implementation Reports Q2	11	23%	
	Quarterly Budget Implementation Reports Q3	13	28%	
	Quarterly Budget Implementation Reports Q4	9	19%	

	County Budget Review and Outlook Papers - Reviews revenue and expenditure information from the previous financial year at economic and functional levels. They present the current year's economic update and its impact on revenue and expenditure.	26	55%	78

The Number of Key Budget Documents by Performance Category – Comprehensiveness

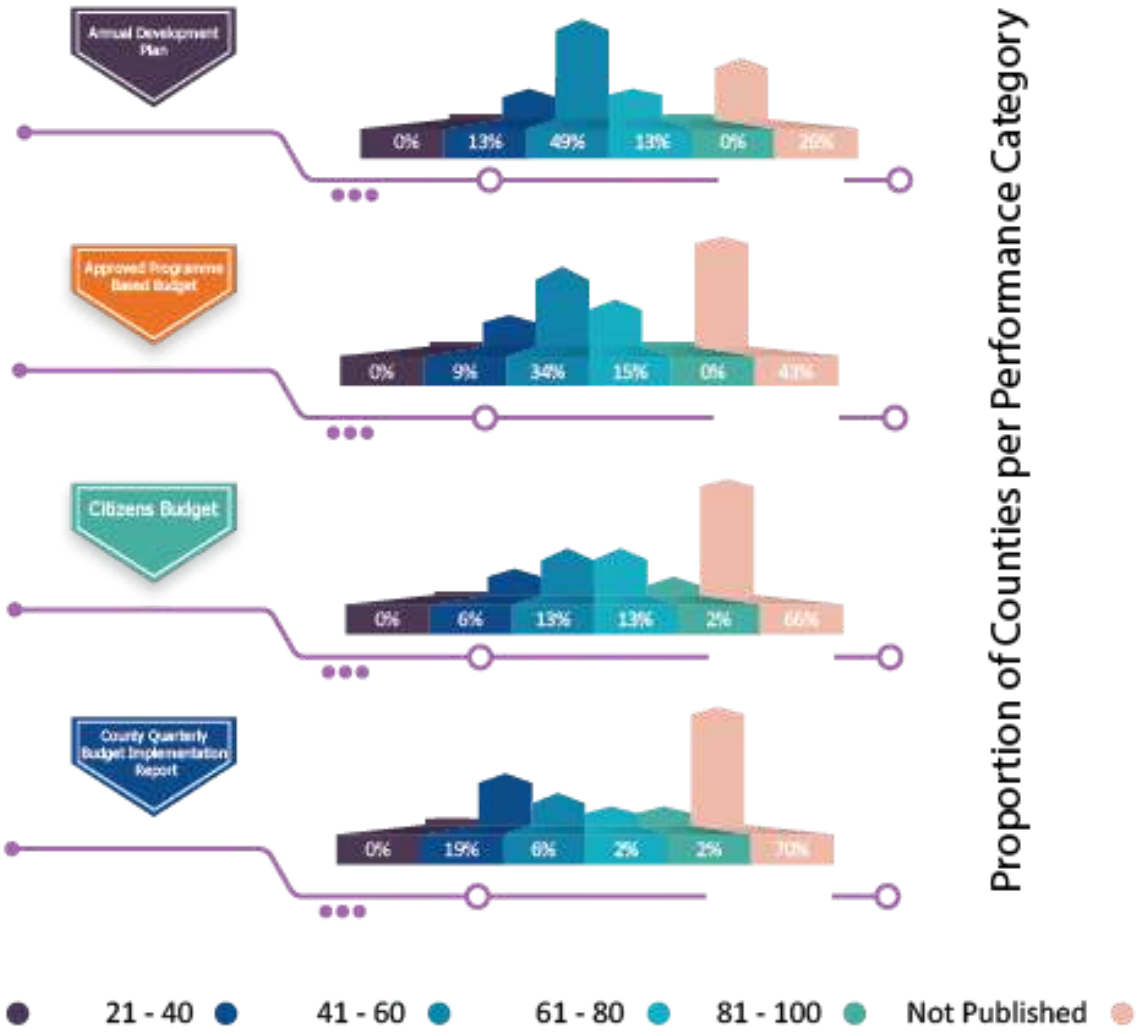
Regarding the comprehensiveness of budget information provided, only three budget documents had at least one county under the top category, which is between 81-100 points. These documents are the County Budget Review and Outlook Paper, the County Fiscal Strategy Paper, and the Finance Act as in figure 11.

Figure 11: The Level of Comprehensiveness by Performance Categories – Key Budget Documents that had documents that Scored between 81-100 points



On the other hand, as shown in figure 12, four key budget documents had no county document that provided information under the top category of 81-100 points.

Figure 12: The Level of Comprehensiveness by Performance Categories – Key Budget Documents that had no documents that Scored between 81-100 points



Source: CBTS 2021 and 2021, IBP Kenya Analysis

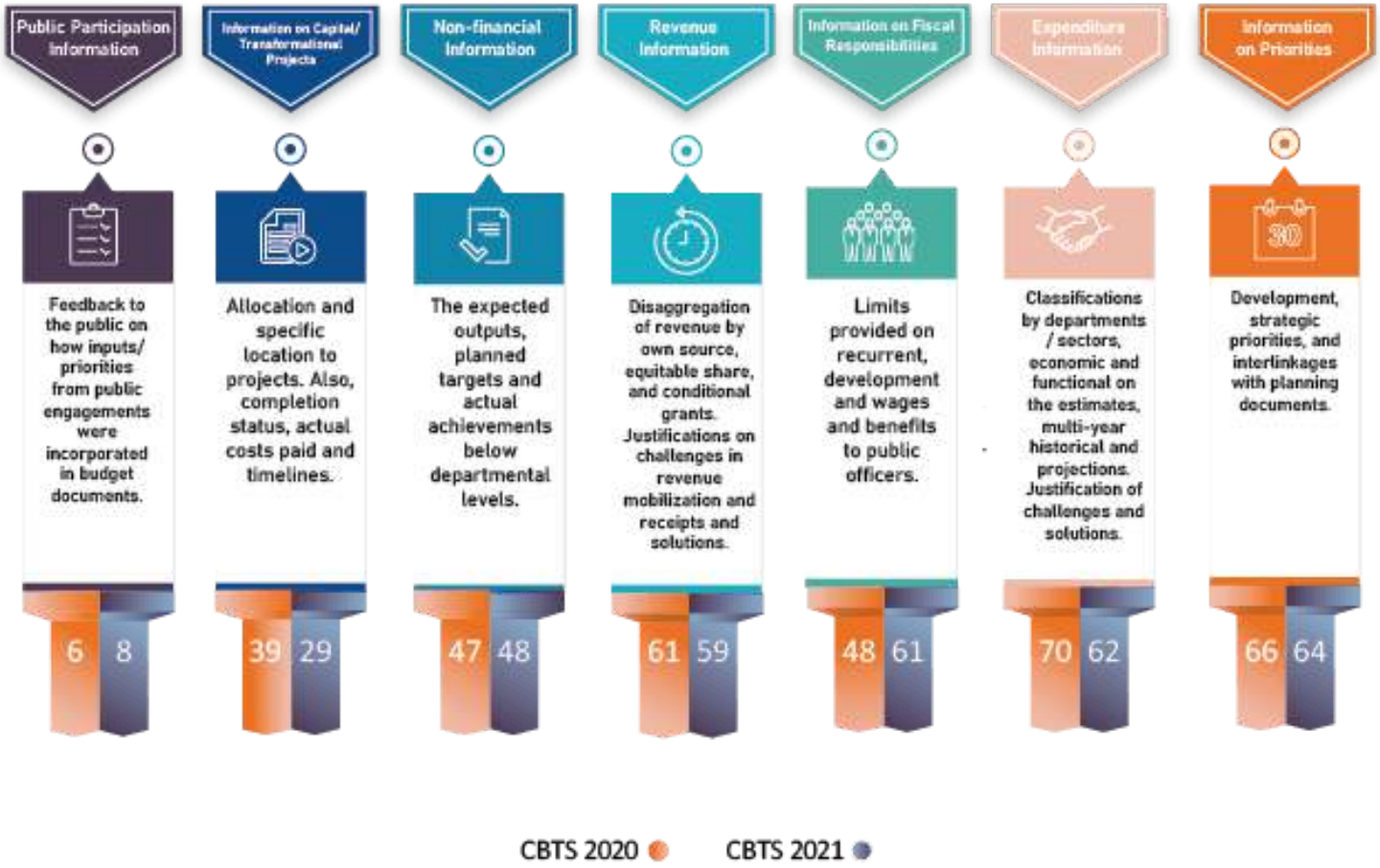
While we understand that there might be few gains in the current survey compared to the previous one, we need to understand that the County Budget Transparency Survey aims for short- and long-term goals that will see counties become open. By disclosing their information as required and embracing the best practices that should see the budget documents made publicly available, presenting the concise details in an easy and friendly manner that can enable citizens to make connections.

The Comprehensiveness of Budget Documents by Thematic Area

Figure 13 shows counties' average level of information in the published budget documents per thematic areas. As much as there was an improvement in the level of information disclosed on public participation, the information remains the least published compared to other thematic areas. Information on priorities remains the thematic area with the highest level of budget information provided.

Therefore, county officials should think about the diverse audience who will utilize the budget documents when producing the budget documents.

Figure 13: Level of Information in the Publicly Available Key Budget Documents Average by Thematic Areas



Source: IBP Kenya CBTS 2021 and CBTS 2020 Analysis

A Deeper Look at the Level of Information by Thematic Areas

1. Information on Priorities

During the budget process, a key role for the government is to define areas of priority that will receive the ever-scarce resources with clear justifications of the trade-offs that have been made. Therefore, county governments present priority proposals that inform public debate and the eventual approval by County Assemblies. This information helps the public see if the government proposals align with its citizens' needs.

The CBTS 2021 evaluated the presentation of budget priorities across four budget documents. These included the County Fiscal Strategy Paper, Annual Develop Plans, the Approved Programme Based Budgets and Citizen Budgets. These are documents mainly in the formulation and approval stages of the budget, which may explain why the law requires they include details of properties under debate and review. The results show a slight improvement in each budget document compared to the information found available in the CBTS 2020.

The review of information on budget priorities varies across the four documents. The type of information that counties should provide includes:

a. Key overall strategic priorities that guide how resources are prioritized for the coming year.
b. Programmatic priorities that speak to more specific areas of investments guided by sectorial ceilings, especially in the CFSPs and PBBs.
c. The connection between budgets and planning documents and the alignment of priorities across documents is a credibility marker.
d. Lastly, the alignment between county priorities and overall national goals is highlighted in the Budget Policy Statement.

The information on priorities is directly interlinked and driven by the available resources. At the same time, it helps citizens to track the progress of achieved spending priorities. Communities require diverse needs and often wonder where the priorities come from and what informs them or rather who has the power to influence the actual priorities that make it to the implementation stage. The information on priorities should help citizens to connect with the development budget. Specifically, that goes to the capital/flagship or transformational projects, as the information on priorities should guide the advancement of the county's development agenda.

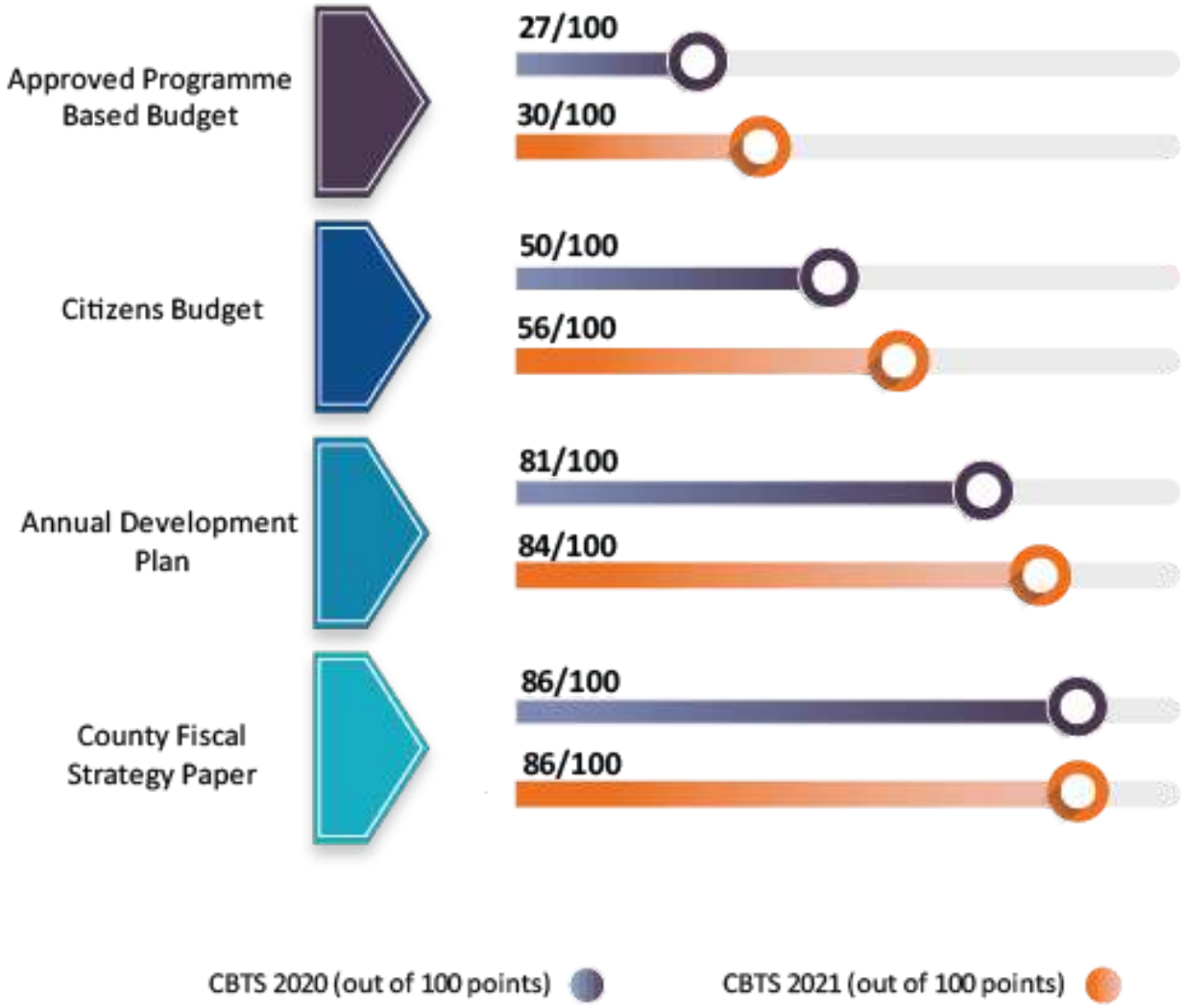
Box 3: Citizen Priorities and Supplementary Budgets

The value of a clear presentation of budget priorities goes beyond an information role. When they are well laid out, it makes it easier for oversight institutions and citizens to keep track of what counties are implementing and ensure any deviations are justified. In addition, it helps keep track of the impact of any budget changes through Supplementary Budgets that often shift the priorities that citizens initially deliberated on and were approved by local legislatures. For example, supplementary budgets can make some priorities redundant without citizens' knowledge, where there is limited transparency as citizens cannot be able to monitor the updated priorities and the budget. Therefore, the information provided on the budget changes through supplementary budgets on county budget priorities is important to understand how shifts affect priorities.

The findings show that as we move from the formulation to the approval stage of the budget process, the level of information on priorities provided in the published budget documents reduces. For example, the current and previous surveys found that the County Fiscal Strategy Paper provides more details on the priorities compared to the Approved Programme Based Budgets, which provides about one-third of the information in the former. Why is this the case? How can citizens track their priorities through the implementation stage without such information?

In the Approved Programme Based Budgets, 19 out of 27 counties that made them publicly available failed to indicate the details on how priorities are directly linked to development plans. Counties should borrow practices from counties that provide such information, including Bomet, Kakamega, Kitui, Laikipia, Machakos, Mombasa, Tana River and West Pokot counties.

Figure 14: The Level of Information on Priorities Provided in Published Budget Documents



Source: IBP Kenya CBTS 2020 & CBTS 2021 Data Analysis

What Can Counties do to improve the Information on Priorities?

Why have information on priorities if everything will change when supplementary budgets are passed? Do counties have a clear framework and procedures that guide prioritization even on changes, and are they communicated to the citizens?

2. Revenue information

The primary source of revenue for counties is the national transfers in the form of equitable share, which accounts for 72 percent of revenue that was available to counties in 2020/21. Local revenue and conditional grants from the national government and donors also form critical funding sources for counties. This survey evaluates the presentation of these three sources of revenue across seven documents. Some counties have also started the process to borrow and have loans as part of their budget financing.

Limited transparency on revenue undermines the ability of citizens and County Assemblies to know the available resources as they deliberate on what priorities should be funded. In addition, it makes it difficult to track revenue performance against approved targets.

Sub-national governments should provide disaggregated information on revenue with justifications when revenue performance deviates from the expected targets. This is an important step in understanding the root causes of issues such as poor cash disbursement and its impact on service delivery.

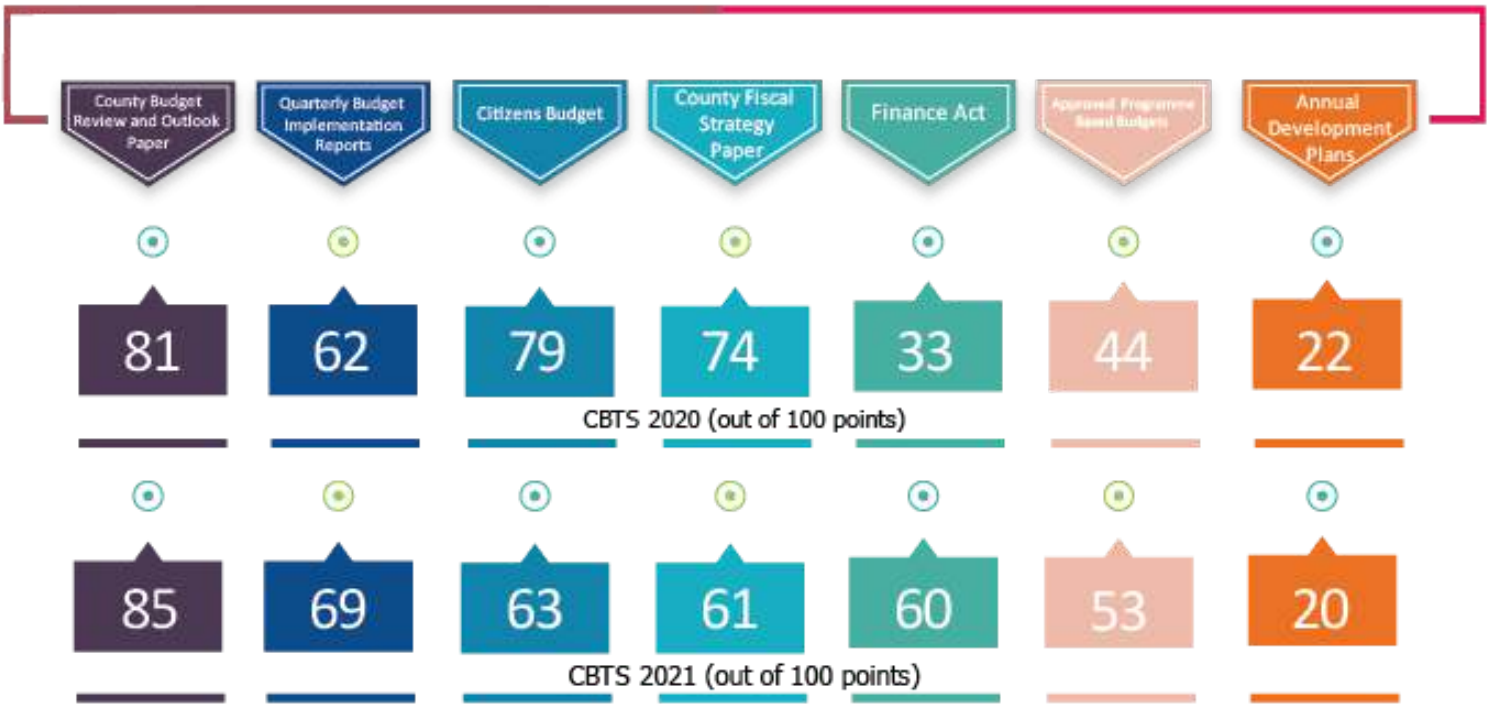
Figure 15: Counties Revenue Since the Onset of Devolution 2013/14 – 2020/21

Counties have come up with various resource mobilization strategies that should strengthen their own-source revenue. Generally, counties have often failed to meet their targets. For example, in FY 2020/21, 64.2% of the revenue was collected.

Limited Information on Revenue in ADPs

The average information on revenue disclosed in the seven budget documents analyzed is 59 out of 100 points. Annual Development Plans remain the budget documents that counties do not present the revenue information.Documents informing the implementation stage of the budget provide more details on revenue. The Annual Development Plan and the Approved Programme Based Budget provided the least information on revenue, as shown in Figure 16 This is a concern as they are two documents that are often subjected to public participation. Such limitations in information can affect the quality of the debates and decisions related to revenue.

Figure 16: The Level of Information on Revenue Disclosed per Key Budget Document



Source: IBP Kenya CBTS 2021 & CBTS 2020 Analysis

Counties should embrace best practices when presenting revenue information

The law requires counties to publish four implementation reports in a year in which CBTS assess their availability and only evaluate the latest available by county comprehensively. In light of that, the Revenue component was comprehensively assessed in all the seven key budget documents.

Of the top six counties that published the seven key budget documents evaluated comprehensively, Samburu, West Pokot, and Nandi did well and appeared in the top five counties with the highest revenue information.

Nairobi county outperformed those mentioned above despite publishing five of the seven budget documents that evaluated revenue components. Nairobi county comprehensively presented the revenue information in the ADP, CBROP, and CQBIR broken down by their sources and the breakdown for individual sources of their own revenue source. On the other hand, Elgeyo Marakwet, Nyeri and Turkana counties provided less than 61 out of 100 points of the information on revenue despite publishing all seven budget documents.

3. Expenditure Information

In general, counties have always spent less than what they approved. For example, budget credibility research has shown that counties spent about 80 percent of their approved budgets, of which the execution of the development budget is often lower than the execution rate of the recurrent budget.

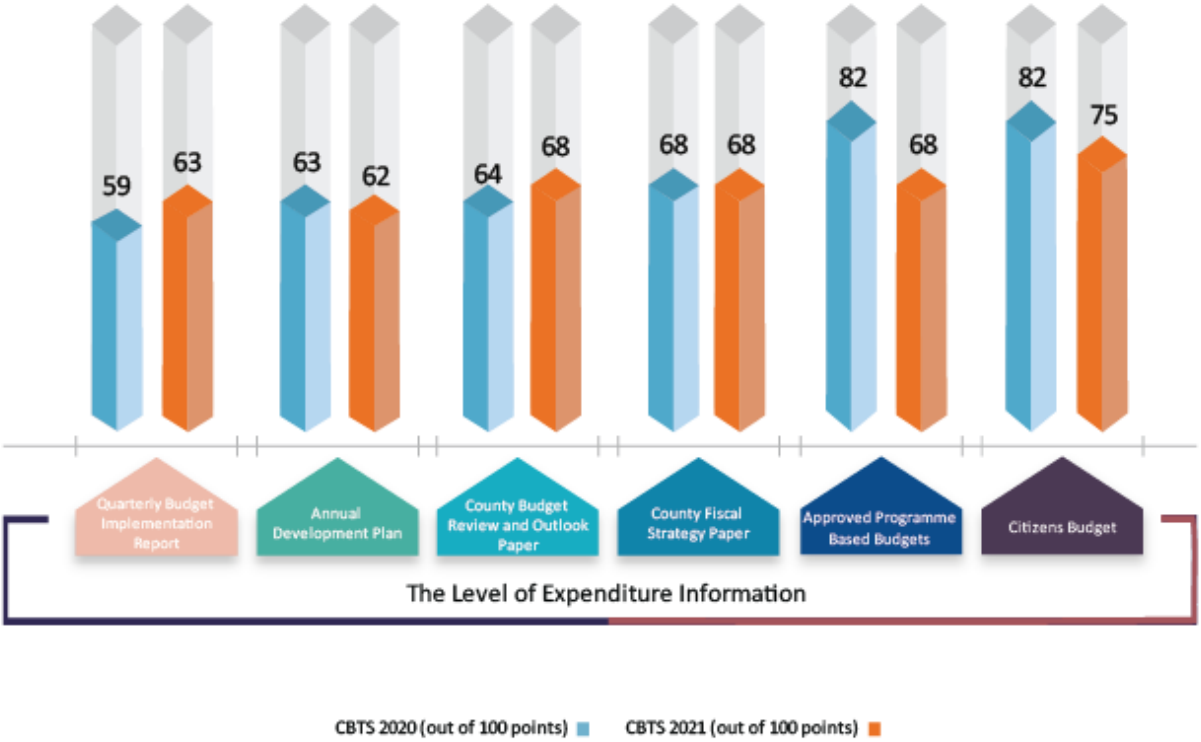
For citizens to monitor the budget implementation progress fully, information on implementation should be provided across all four quarters, as most counties report poor performance in the first quarter, especially on development. If the information is available, citizens can raise such issues early enough rather than waiting until the end of the implementation period.

It is also important to highlight that even where information is provided by counties on the budget documents, there exists a disconnection between financial and non-financial information in the budget documents. For example, most implementation reports present no details on the non-financial information. This makes it hard for citizens to monitor the implementation of the budget.

Budgets are about spending, and often, this is one of the areas that gets attention from budget practitioners and CSOs. Evidence from budget credibility analysis suggests that many counties do not meet their expenditure targets over certain periods of subsequent financial years, as they spend less than what is allocated to them, even though that varies across the sectors or departments that a county has. For example, counties spent 77 percent of their approved budgets during the four-year period between FY 2017/18 to 2020/21 according to CoB reports, of which the development budget is mostly affected as only 56% of the approved budget is utilized. The current budget performs better at an average of 89 percent of their approved recurrent budget. There are other challenges that citizens want to understand, such as the budget spending for the personnel emoluments, which the PFM Act and regulations require counties to provide such information.

The average level of information on expenditure provided to the public is 67 out of 100 points. Only two budget documents, the Quarterly Budget Implementation Reports and the County Budget Review and Outlook Papers, recorded improvements in the level of information on expenditure. These two documents are produced at the monitoring stage of the budget cycle.

Figure 17: The Level of Expenditure Information provided in the Published Documents



Source: IBP Kenya CBTS 2021 & CBTS 2020 Data Analysis

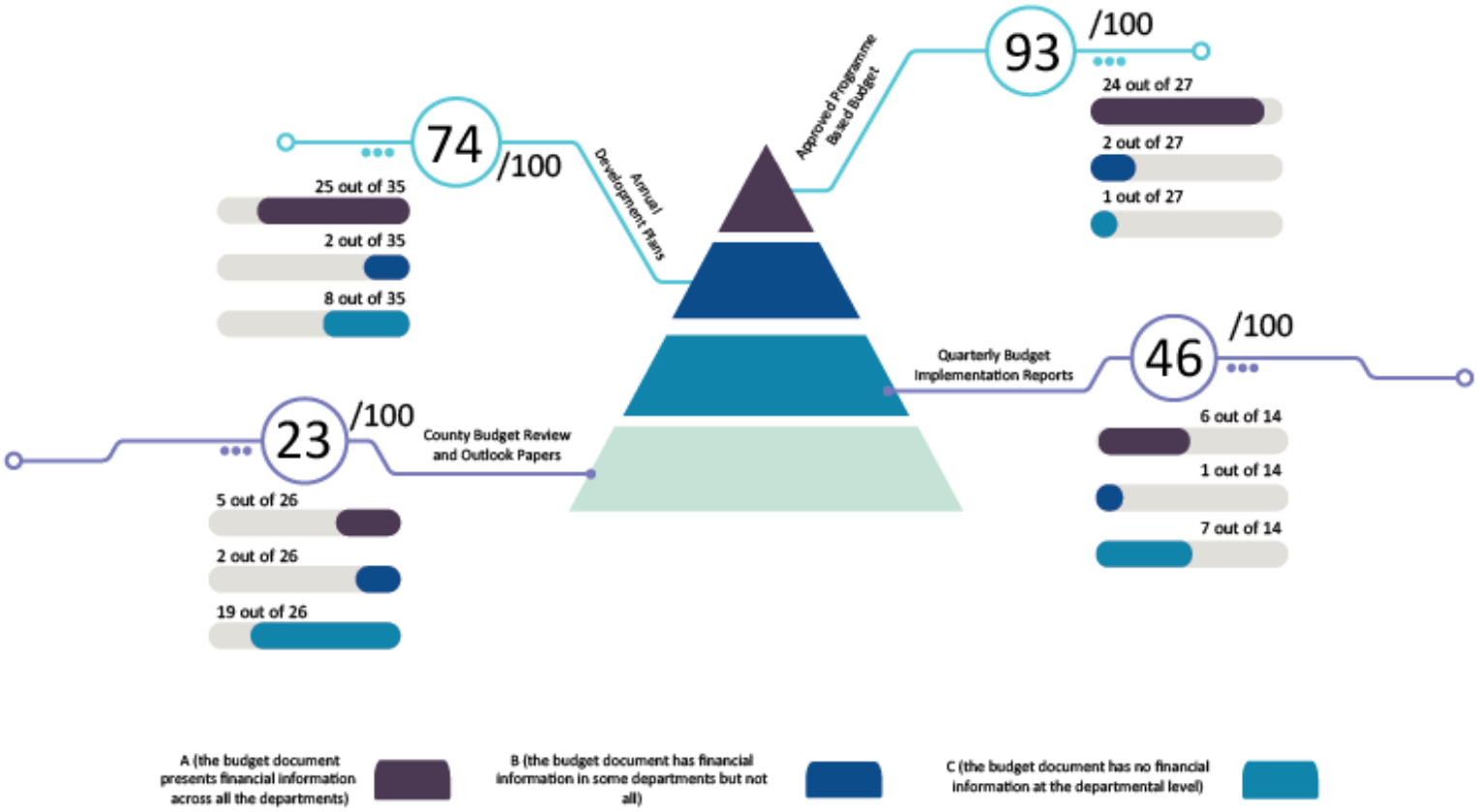
The Budget Documents in the approval stage recorded the highest decline, with the Approved Programme Based Budgets comprehensiveness scores dropping from 82 to 68 out of 100 points. Additionally, the expenditure information provided in the Citizens Budgets dropped by 7 points, from 82 to 75 out of 100 points. Why was there a drop in the Approved Programme Based Budgets? The survey found counties provided less than 20 out of 100 points in two of the seven questions used in the evaluation of expenditure information in the Programme based Budgets. For example, 25 out of 27 counties failed to provide their actual historical expenditure performance. Still, in the Programme Based Budgets, 21 out of 27 counties failed to disclose the information on personnel numbers, designation, and costs details at the departmental level.

Specific Performance on the Expenditure information Published

As shown in figure 18, the published Annual Development Plans and Quarterly Budget Implementation reports performed below the average score of the thematic area. The survey found gaps in presenting complete financial information on expenditure classifications (functional, economic, and administrative), historical trends in expenditure performance and outer year projections.

Even though there were no improvements in the expenditure information to the current survey from CBTS 2020, 91 percent of the published ADPs provided information on the expenditure targets for the coming year at the administrative level. However, 77 per cent of the same ADPs had no breakdown to recurrent and development at the level. This means that counties' ADPs provide mostly aggregated information that does not tell the citizens how much goes to or is spent on what. For example, if a citizen wants to scrutinize the budget for health, can they have all the details from the sector to its programmes and sub-programmes classified into recurrent and development?

Figure 18: How counties present financial information at the programme and sub-programme levels across all departments



From the CBTS 2021, the expenditure information provided at the programme and sub-programme levels across all the departments is bleak at the implementation stage. For example, only 21 percent of the published CBROPs provided such details; half of the CQBIRs published lacked such information. Most counties have more details at the formulation and approval stages, as in figure 18.

Counties spent 44 percent of their budget in 2020/21 on staff wages, making it the largest expenditure component. Therefore, county budgets should provide comprehensive details on personnel emoluments which are also in line with the requirements of the PFM Act and regulations. One question was used to assess the level of information that counties provide on the personnel emolument's details, specifically: the personnel numbers, designation, and cost details at the departmental level. The budget documents only provided 17 out of 100 points, with 78 percent of 27 published budget documents presenting no details on personnel details.

Box 4: How do counties present information on the multi-year performance and projections?

In budgets, performance informs projections. Citizens should have access to complete information on the past, current, and projected expenditures. This information should be fully covered in the budget documents as required in the law. The CBTS 2021 evaluates information on past performance for at least two previous financial years and projections for at least two outer financial years.

Only two counties (Siaya and Kakamega), representing 7% of the published approved Programme Based Budgets, provided some information on at least two-year historical expenditure performance information at the departmental level. The information was also disaggregated to recurrent and development and at further disaggregation of recurrent expenditure to operations/ maintenance and personnel emoluments.

Disaggregation of Budget Information remains a challenge

It is also important to highlight that except for Kiambu county, four (Nyeri, Samburu, Kitui and West Pokot) of the top five counties providing expenditure information published all the six key Budget Documents that expenditure information was evaluated. Despite Nandi county publishing all these six key budget documents, 17 counties outperformed it as it discloses less than half of the information required on expenditure.

Disaggregated and detailed budget data are more difficult to come by even in more transparent counties since counties provide aggregate information at the departmental level. More detailed budget data on classifications and non-financial information on key programmes and sub-programmes are more difficult to find. These budget documents come with inconsistencies in providing the expenditure budget classifications. Focus on the budget documents published by Nandi County shows that 13 out of 25 indicators were used to assess expenditure information, and no information was provided. Some counties provided aggregated information, i.e., only focusing on the development budget in Annual Development Plans and leaving out the recurrent budget. The disaggregation of the budget that should show the breakdown to recurrent and further to operations and maintenance and personnel costs are missing. For example, in Nandi County, CBROP has no breakdown. In the approved Programme Based Budget, there are no details on personnel and no information expenditure projection for the outer two years.

4. Public Participation Information

Budget transparency and public participation are two key pieces of inclusive budgets and development. Quality, timely and relevant budget information facilitates public deliberations and from these debates, governments get a better understanding of the type of information needed to improve discussions with citizens. Government officials and citizens have different perspectives on public participation, which contributes to challenges on the kind of information presented in budget documents. For instance, government officials seem only to provide information that shows they conducted public participation forums and priorities were sought from the public. Meanwhile, citizens demand more from what comes from public engagements. Importantly, they want to see feedback with clear justification behind the final decisions made by the government on the priorities.

However, without full disclosure of information, there is a risk that the public may not effectively engage with their governments leading to participation apathy. This will not only deny them their right to make decisions but also reduce the level of citizen oversight of government budgets

"We participated in the public participation on budget, but we have never heard about feedback on public participation on the budget documents." Eliud Wanjala, Kakamega County, Budget Champion.

Box 5: The CBTS Evaluates Feedback Provided in the Budget Documents on Public Participation

The County Budget Transparency Survey evaluates the public participation information using two questions in three documents. The assessment is done on the Annual Development Plan, the County Fiscal Strategy Paper, and the approved Programme Based Budget, which are at the formulation and approval stages.

The following are two sets of the question that CBTS 2021 evaluated in the budget documents:

- The priorities/ inputs submitted from the public, who was involved and the level it was conducted. This looks at whether the budget documents have captured disaggregation of participants who took part in the public engagements and, importantly, helps citizens analyse the geographical representations. We understand that often the marginalized or vulnerable group may not get a chance to participate in the budget process, and this leads to inequities.
- The second question evaluated whether the budget document provides details of how input from the public was incorporated. This requires the budget documents to provide the selected priorities and what recommendations, or actions are the counties putting in place. The inputs have shaped the final budget document. The budget documents should also justify citizens' contributions that were never incorporated into the final document and the decisions/ priorities it informed—generally, public participation feedback mechanism.

In future, the CBTS will document best practices in public engagement that counties have adopted during the implementation stage. An example at the national level is where the National Treasury sought public input and provided feedback on the Budget Review and Outlook Paper 2021 by adding a section summarizing 1) the comments received from the public and other stakeholders, 2) actions taken in various policy areas. This is the kind of information that counties should start providing in their budget documents.

Also, our partners, Center for Enhanced Democracy and Good Governance in Baringo county, reported a similar structure where the County Assembly asked CSOs to provide feedback and comments on the County Budget Review and Outlook Paper on the kind of information they required to be availed in the budget documents.

Good Practice on Public Participation – National Treasury

Annex Table 5: Highlights of issues raised during Public Participation

Sector	Issues	Proposed way forward/Action taken/Response
Agriculture, Rural and Urban Development Sector	**Policy Issues** • Sale and consumption of Genetically Modified Organisms (GMOs) • Rising Lake levels • Uncontrolled land subdivision • Spatial Planning • Food importation from neighboring Countries	• The GMOs that are available for sale and consumption have been analyzed and found to be fit for consumption. There is no evidence that they have caused any harm to consumers hence allowed for use in Kenya. • The Government set up a taskforce under the leadership of the Ministry of Environment and Forestry which has developed a report with actionable recommendations on mitigating the effects of rising water in the lakes. • The Ministry of Lands and Physical Planning has developed a draft Bill on maximum and minimum land ownership that is meant to regulate land subdivision. In addition, each County should have a land use plan that controls subdivision based on the proposed land use in the County. • Most of the spatial planning is devolved to Counties in line of Schedule 4 of the Constitution. The Ministry of Lands and Physical Planning deals with strategic planning partnering with Counties through the KISIP project. • Kenya is a member of the EAC and COMESA which allows member states to access food markets within these free trade areas. In view of the above, Kenya has an obligation to allow the neighboring Countries to access its market. The role of the Sector is to ensure that food products produced locally compete favorably with imported food products through reduction of cost of production through interventions like fertilizer subsidies, crop and Livestock insurance among other interventions.
	Governance Issues • Public participation during development of potatoes regulations	• The potatoes regulations were subjected to stakeholder participation to ensure that potatoes are sold in 50KG bags. The objective was to protect exploitation of farmers by middlemen

Source: 2022 Budget Policy Statement, National

There is Improvement on Public Participation Information but remains Category E (0-20 points)

The County Budget Transparency Survey 2021 found that the level of information provided on public participation is equivalent to only eight out of 100 points. As in figure 19, all the 27 approved Programme Based Budgets published in CBTS 2021 did not provide any information on public participation as was the case in all the PBBs found in the CBTS 2020.

Makueni county scored the highest by providing information equivalent to 43 out of 100 points, an improvement from 21 out of 100 in CBTS 2020.

Figure 19: The Level of Information Provided on Public Participation in the Published Budget Documents

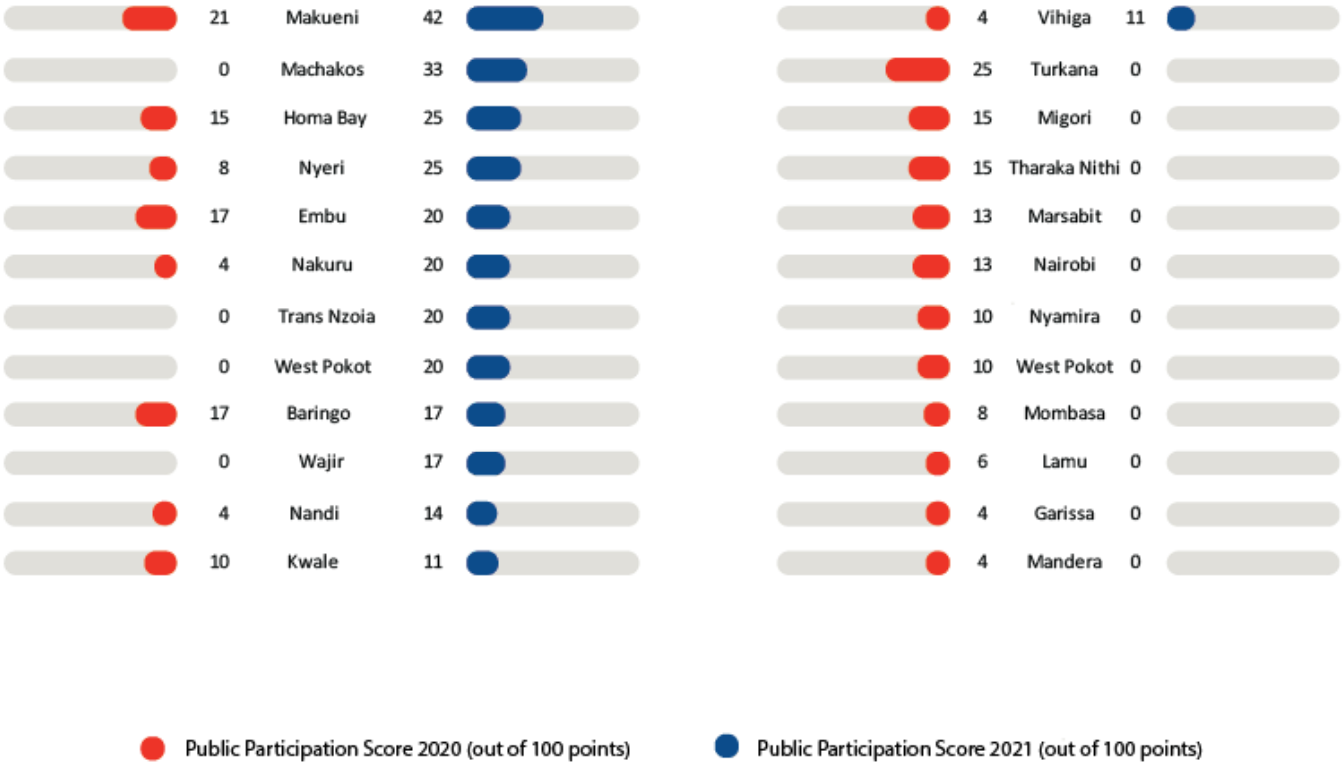
Source: IBP Kenya CBTS 2020 and CBTS 2021

No county scored above half of the information required on public participation. Only Makueni scored "C" while Machakos, Homa Bay and Nyeri scored "D" the rest of the 42 Counties that at least had one budget document which public participation was assessed scored "E" (below 20 out of 100 points).

"Interesting to understand why public participation is so low, could it be counties do not have the proper guidance? or don't feel confident or belief that the public participation they are doing is useful/ impacting change and just a tick-box exercise." Karen Bett, CBTS 2020 launch.

Figure 20 shows that 12 out of 13 counties that presented information on public participation recorded improvements compared to what had been provided in CBTS 2020. Even so, Turkana, Nairobi, West Pokot and Mandera, which had the most budget documents and information on the feedback on public participation, lacked the information in CBTS 2021 compared to CBTS 2020 when they all had some information as shown in figure 20.

Figure 20: The Level of Information provided by Individual Counties on Public Participation



Source: IBP Kenya CBTS 2021 and CBTS 2021 Analysis

5. Information Provided on Fiscal Responsibilities

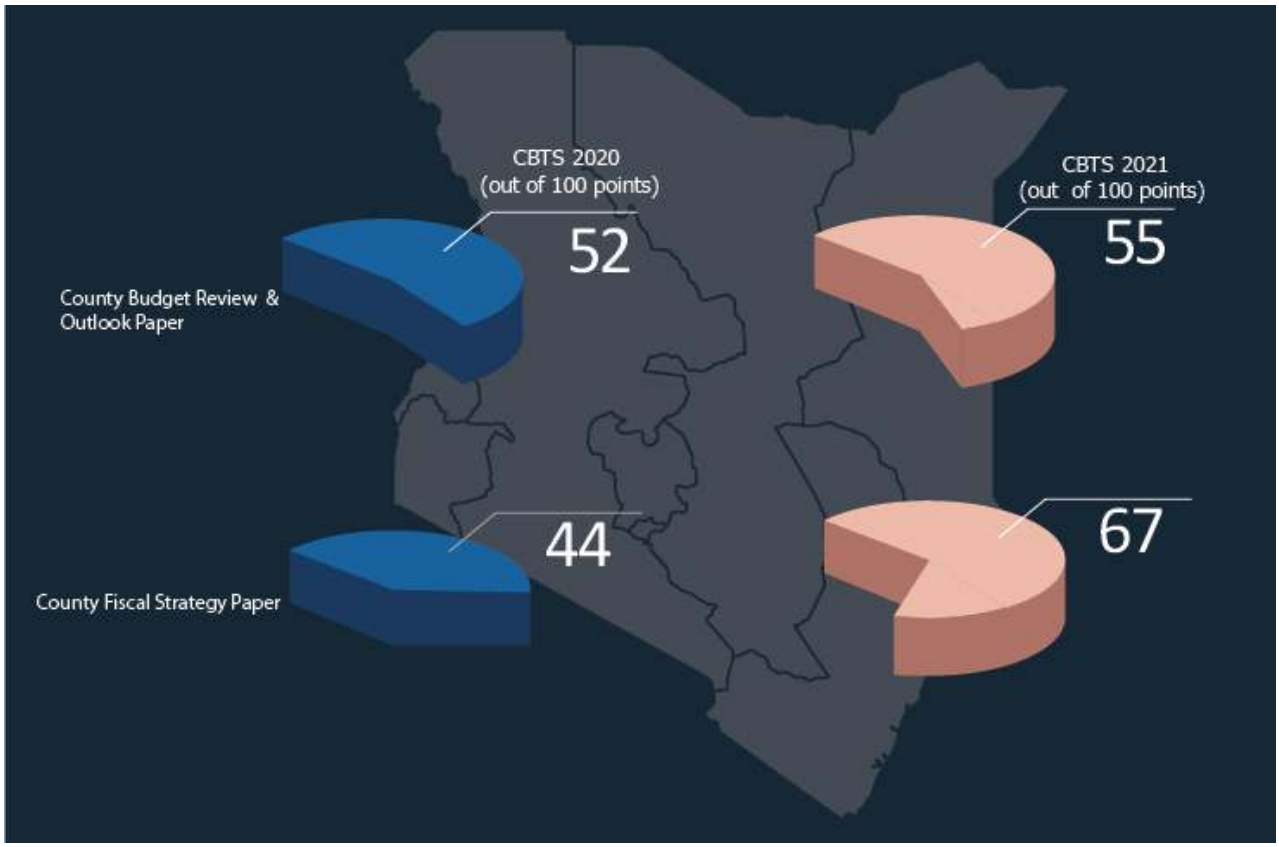
Fiscal responsibilities are limits set by the PFM Act to guide how resources are allocated and spent across broad categories in the budget, such as wages and capital spending. These ceilings are set to ensure fiscal discipline in how counties formulate and execute their budgets. This has implications for the overall efficiency of budgeting and avoiding any negative impacts of budgets on the general economy.

A survey on fiscal discipline conducted by IBP Kenya showed that counties struggled to adhere to these limits across the four years evaluated in the research. A key observation was counties are well within limits in their approved budgets but not in the actual expenditure. This reflects a challenge to the credibility of counties' budgets formulated and approved.

The survey evaluates two documents that are required by law to present information on the adherence to the principles provided in the PFM Act. In the formulation stage of the budget, the County Fiscal Strategy Paper helps show whether budget ceilings are within limits. The County Budget Review and Outlook Paper will help show whether actual spending kept to the limits from a review perspective. The survey evaluates two key fiscal limitations: allocation of at least 30% of budgets to development expenditure and not spending more than 35% of their revenue on wages, and recurrent expenditure cannot exceed the total revenue.

The information disclosed by counties on fiscal responsibilities was 61 points out of 100. As shown in Figure 21, both documents presented more information in the CBTS 2021 with a significant improvement in the County Fiscal Strategy Paper whose score went up by 23 points. This is as a result of an increase in the number of CFSPs that provided all details on fiscal responsibilities from 9 in CBTS 2020 to 18 in CBTS 2021. There was a decrease in the number of CFSPs that fully failed to provide information on fiscal responsibilities from 14 to 8 in CBTS 2020 to CBTS 2021 respectively.

Figure 21: The Level of Information on Fiscal Responsibilities in Published Budget Documents



Source: IBP Kenya CBTS 2021 & CBTS 2021 Data Analysis

More counties provide complete details on fiscal responsibilities in CBTS 2021

In the budget documents, counties only list the fiscal responsibilities but do not provide information on how they are in compliance with the set conditions. The CBTS 2021 found that only six counties provided full details that can enable citizens to understand how the counties comply. The average information disclosure on fiscal responsibilities is 61 out of 100 points. It is important to mention that Nairobi, Nyeri and Nyandarua counties consistently provided information on fiscal responsibilities in both CBTS 2020 and CBTS 2021.

6. The Information on Capital/ Transformational Projects

Capital projects such as construction of health facilities or markets are a critical step in the provision of services to citizens. Whether such projects are meant to benefit one ward or the whole county, they draw a lot of attention from the public. In many counties, public engagements are often discussions on which capital projects should be funded and where they should be located. The distribution of projects is also a proxy indicator of how the county deals with inequalities and brings services closer to poor and marginalized communities.

The County Budget Transparency Survey 2021 evaluates whether the budget documents provide key details on capital projects: location (i.e., sub-county or ward), allocation, status (i.e., new, or ongoing) and the implementation time frame (start -end) for each capital project. In the budget implementation reports, the CBTS evaluates the status of completion, approved costs, the actual cost paid up in the quarter under review for each capital project. These details are important for citizens to monitor budget implementation and how projects are being implemented to the point of delivery of services.

Counties that have faced challenges of stalled projects and pending bills and providing such details will help citizens and the legislatures to keep track of the capital projects which some issues can be rectified during the implementation period rather than waiting until the end of the financial year.

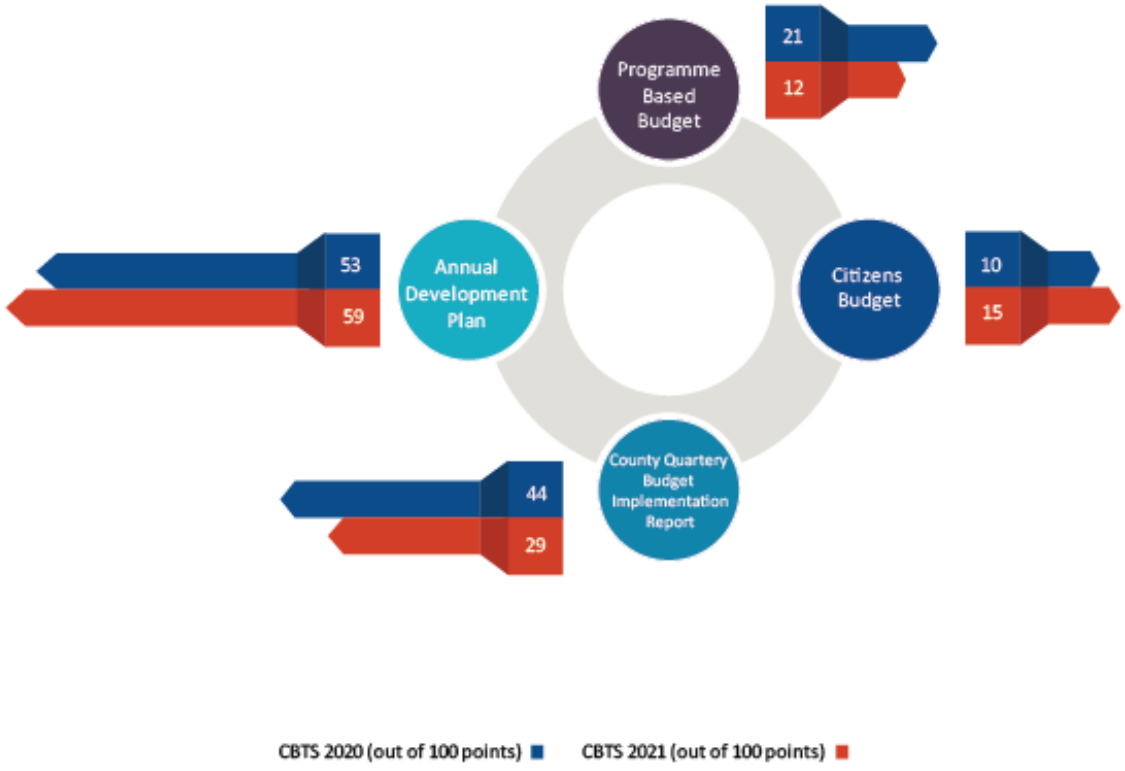
Box 6: Busia County Case on Stalled Capital Project

This case from Busia is one example of why we must pay attention to the budget implementation stage of the budget. Even when priorities are funded and budgets approved, the changes are made during Supplementary Budgets, results to shifts of budgets to which projects were initially allotted and the end results will lead to stalled or abandoned capital projects

Malanga Dispensary Stalled Staff Houses - Busia County

In the Approved Programme Based Budgets and the County Quarterly Budget Implementation Reports, there was a drop in the level of information on capital projects. While in the Citizens Budgets and Annual Development Plans, there were improvements in the level of the information presented.

Figure 22: The Level of Information Provided on Capital Projects



The survey shows that there was no Citizens Budget that presented full details on the information required on capital projects. In addition, only one approved Programme Based Budget and three quarterly budget implementation reports presented full details on capital projects. The results further show that 9 out of 14 implementation reports lacked full details on capital projects and where provided, the information on the actual cost paid up to the quarter evaluated was lacking. Where the Programme Based Budget presented the information on capital projects, the details on the timeframe and status of the capital projects were lacking.

7. Non-Financial Information

The research at IBP Kenya on Programme Based Budgets performance measures showed that counties were more likely to present the information on targets and indicators, but the quality of targets and indicators remains weak. In the same line, the findings showed that there was a clear disconnection between the presentation of this information in the Programme Based Budget and quarterly implementation reports.

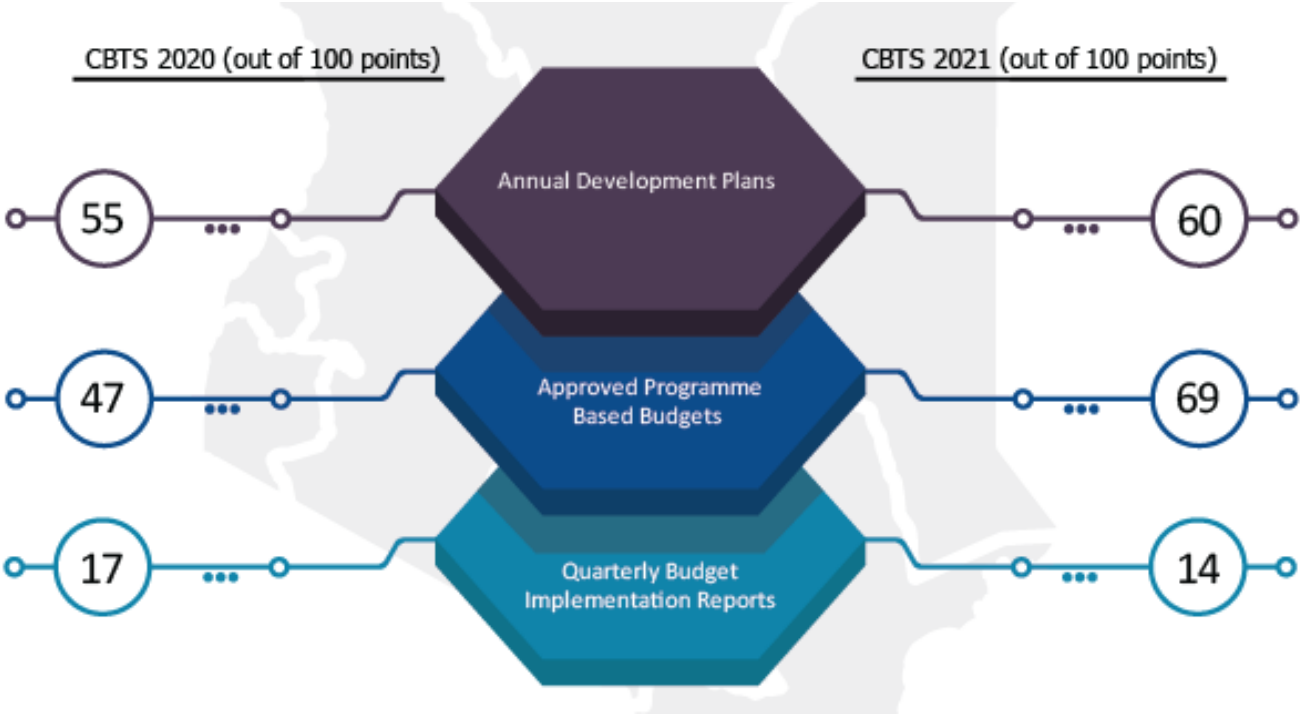
Even though counties appropriate and spend significant resources each year through their budgets, there has been a big gap in reporting the impact of this spending. Accessing non-financial information in the implementation reports remains a challenge. Counties should provide details of what their budgets are meant to achieve and the indicators that will be measured to know the progress towards those goals. The implementation reports should then report actual achievements, and any deviations explained with clear justifications. Such information should be provided at the expenditure programmes and, where practicable, should be provided at the sub-programmes levels and should cover all the administrative units (departments, sectors or entities or ministries).

The budget documents are required to present the information with all the three components of non-financial information: indicators, baselines, and the coming year's targets in the Programme Based Budget and Annual Development plans and performance or actual achievements for the quarterly budget implementation report. This information should be provided at the programmatic level across all the administrative entities.

The CBTS 2021 reveals a notable consistency in the presentation of non-financial information in most of the budget documents available to the public, specifically on the PBBs. The overall average score improved from 39 out of 100 points in CBTS 2020 to 48 out of 100 points in CBTS 2021.

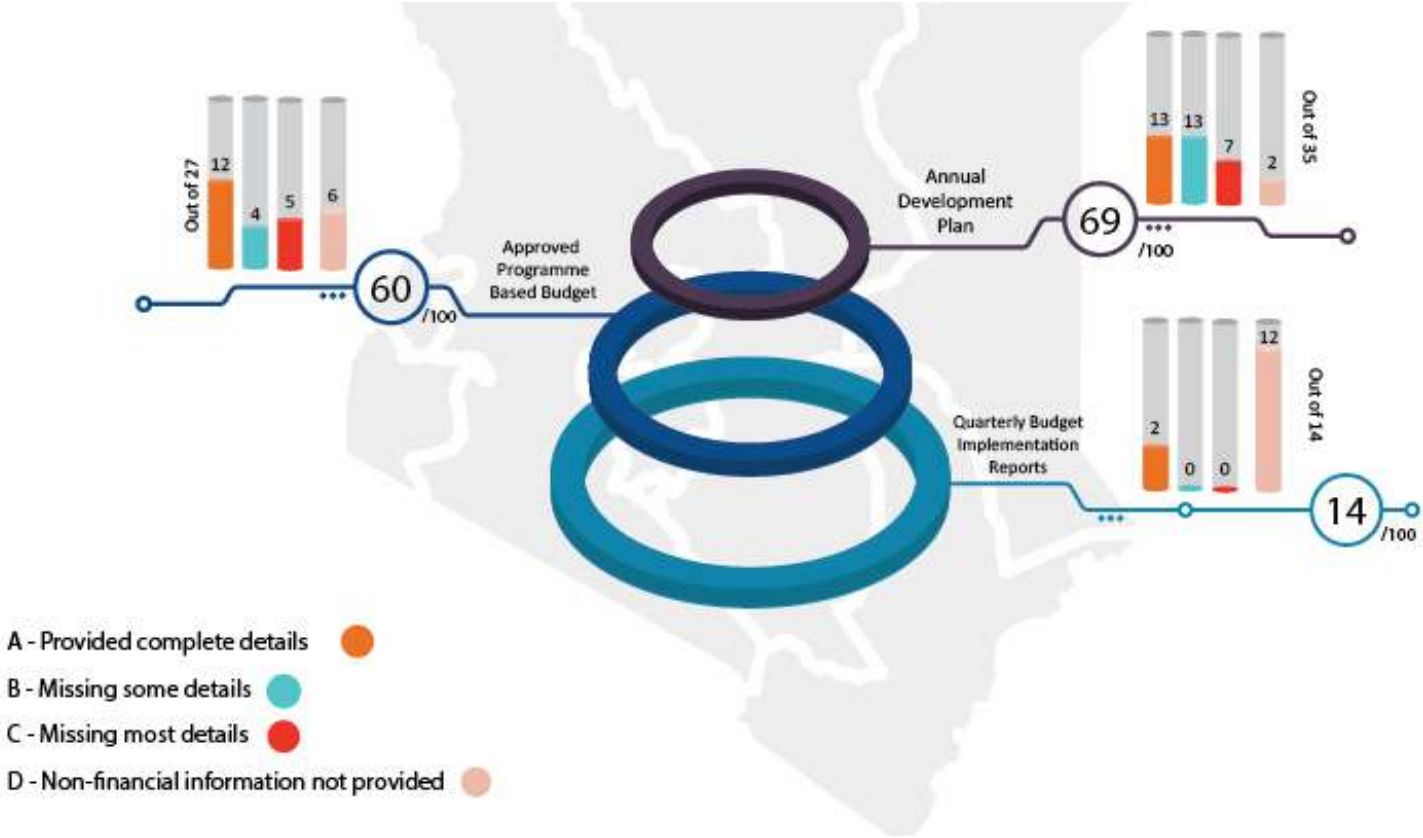
However, most information below the departmental level is not provided at the implementation stage. Counties do not present them in a programme-based format hence leaves out the non-financial information that is crucial in monitoring the services and making connections with the financial information.

Figure 23: The Level of Non-Financial Information Provided in Published Budget Documents



Source: IBP Kenya CBTS 2021 and CBTS 2020

Figure 24: How do counties present non-financial information at Sub-programme or Programme level by the departments/ sectors or ministries



The assessment shows that 87 percent of the publicly available County Quarterly Budget Implementation Reports does not have the non-financial details. As shown in figure 24, only information equivalent to 14 out of 100 points is provided to the public. The results show that only two counties, Baringo and Nairobi, provided complete details in the implementation reports.

Box 7: Baringo and Nairobi Counties Provide Better Levels of Non-Financial Information in their Implementation Reports

There are real challenges that counties do not understand how the nonfinancial information should be provided. While it is a requirement by the law, most counties only concentrate on financial information.

ANNEXE IV-NON-FINANCIAL INFORMATION AS AT 31ST MARCH 2021

SECTOR	Programme	Sub-Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Targets FY 2020/2021		Remarks
						Planned as per PBB	Achieved	
CPSB	General Administration and Support Services	General Administration and Support Services	CPSB					
				Promotions	Number of staff promoted	11,000	6,380	On going
				Confirmation in appointment	Number of staff confirmed	394	213	
				Discipline cases	Number of discipline cases dispensed	As submitted	276	
				Recruitment	Number of staff recruited	1638	1194	
				HR Manual	Number of Manuals Prepared	1		Ongoing
				Discipline Manual	Number of Manuals Prepared	1	0	Insufficient Budgetary provision
				Board Charter	Number of Charter Prepared	1	0	Insufficient Budgetary provision
				Up grading of Human Resource Management System	Number of modules installed	1	0	Time constrain
				Office renovations and Partitioning	Number of offices renovated	2	0	terminated
				Survey report	Number of reports	1	0	Insufficient Budgetary provision
				Stakeholder meetings	Number of meetings	9	4	
				Trained staff	Number trainings	6	3	
GOVERNORS	Disaster management &coordination	Disaster management	Disaster management	Disaster risk management, prevention, mitigation and preparedness	Reduced disaster occurrence	100%	50%	Not achieved due to covid 19 pademic
		Fire rescue services	Fire rescue services	Fire emergency response	Effective firefighting services	100%	70%	New staff recruited have enable the sector to achieve results

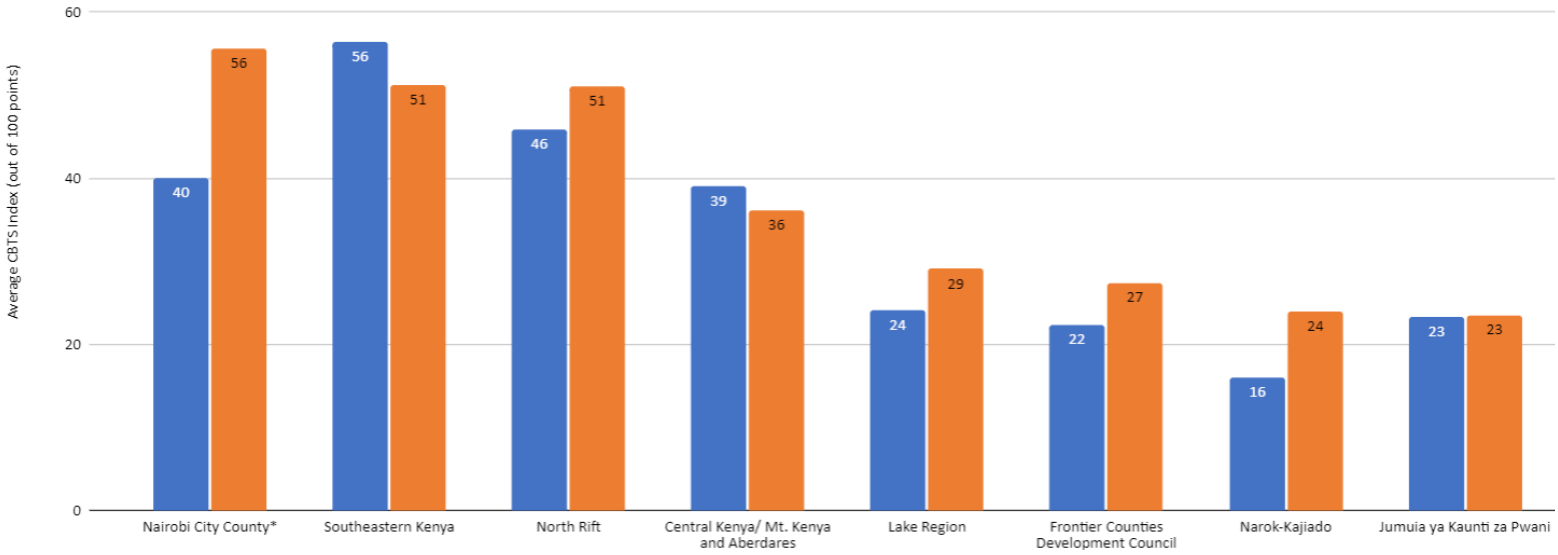
Source: Nairobi County 3rd Quarter Budget Implementation Report 2020/21

Section 4: Unpacking the Common Challenges in Budget Transparency within the Regional Economic Blocs

According to the Ministry of Devolution, the Kenyan subnational units have been classified into six regional economic blocs to spur development and provide platforms to facilitate joint planning and investments and inter-county trade. The Regional Economic Blocs include: (1) Jumuia ya Kaunti za Pwani; (2) Southeastern Kenya Economic Bloc; (3) Frontier Counties Development Council; (4) Central Kenya/ Mt. Kenya and Aberdares Region Economic Bloc; (5) North Rift Economic Bloc, and (6) Lake Region Economic Bloc.

However, some counties like Nairobi, Narok and Kajiado do not fall under any of the above classifications, but according to Maarifa centre at the Council of Governors, the 7th category is the Narok-Kajiado Economic Bloc. For the purpose of this survey, Nairobi County will remain as a standalone.[7]

Figure 25: Average Budget Transparency Index by Regional Blocs - CBTS 2021 and CBTS 2020

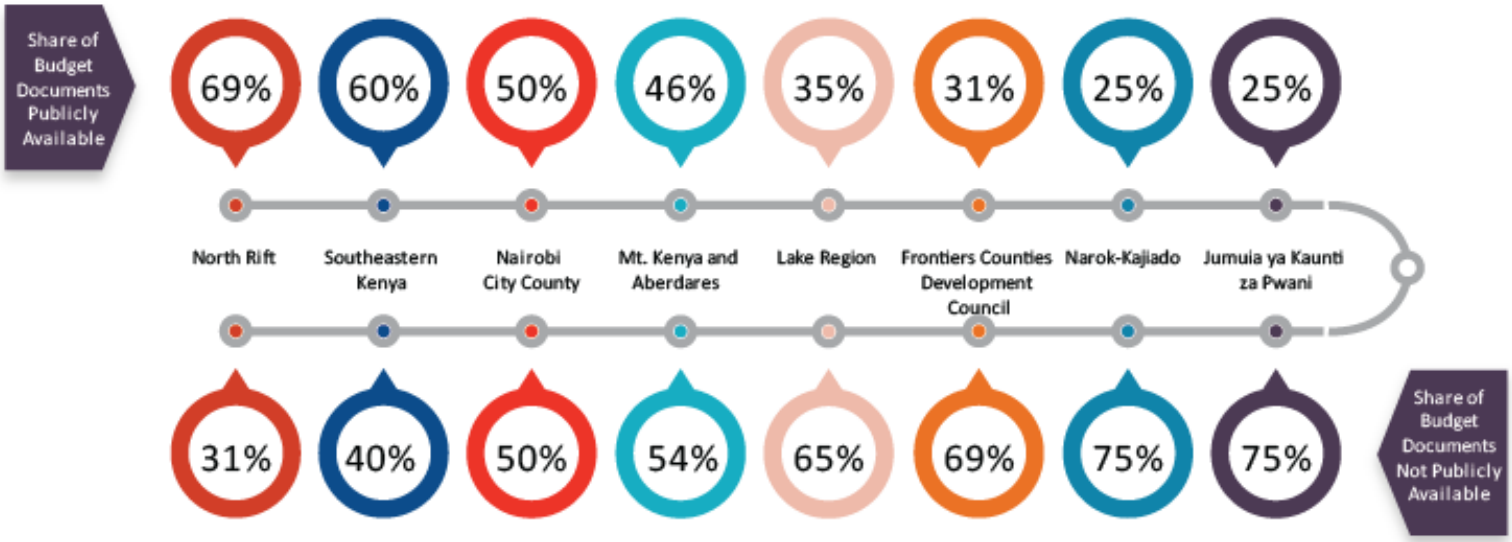


Source: IBP Kenya CBTS 2021 and CBTS 2020

[7] See annex 4 on the specific counties grouped in Performance categories by their Regional Blocs

Since Nairobi city county is a standalone, the Southeastern Kenya Economic Bloc is the most transparent, with an average index of 51.2 out of 100 points in CBTS 2021, even though this is a decline from the previous survey in 2020. Whereas Southeastern Kenya had the highest average transparency index, it is important to highlight that North Rift published 69% of the key budget documents, more than what was published by Southeastern Kenya at 60%. This means that having more budget documents does not necessarily mean that the counties are transparent. On the other hand, Jumuia ya Kaunti za Pwani is the least transparent, with an average transparency index of 23.5 out of 100 points.

Figure 26: The proportion of Budget Documents publicly available in relation to those not publicly available in the Regional Economic Blocs



Source: IBP Kenya CBTS 2020 and CBTS 2020.

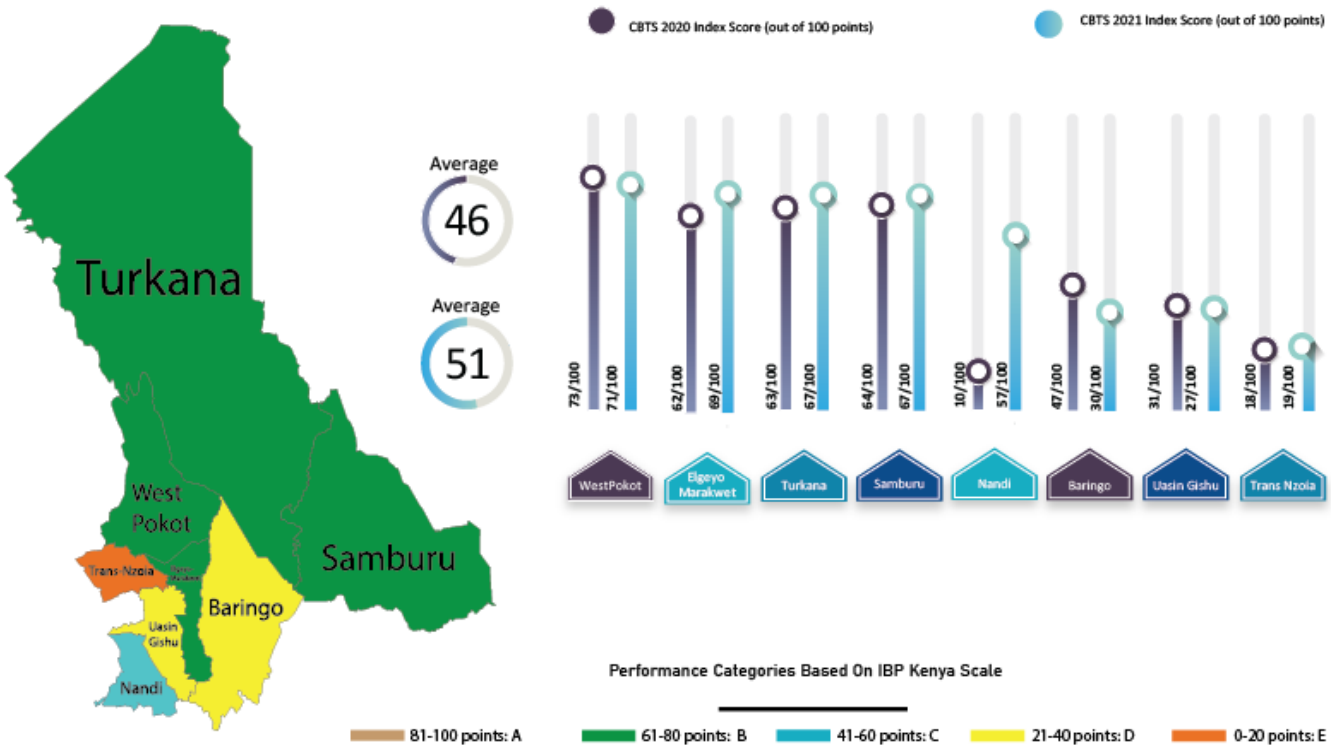
The County Budget Transparency Survey highlights the performance in the economic blocs to encourage peer learning on good practices and how to handle challenges to budget transparency.

What is there within the Regional Economic Blocs?

a) North Rift Economic Bloc (NOREB)

NOREB recorded an improvement in providing budget information, with two out of the three counties that published all the budget documents coming from this bloc. The two counties are Elgeyo Marakwet and Turkana. It is also important to mention that five out of eight counties in this bloc recorded improvements compared to CBTS 2020. The five counties are Nandi, Elgeyo Marakwet, Turkana, Samburu, and Trans Nzoia as shown in Figure 27. Notably, this is the region with counties revealing good practices in some publicly available budget documents. For instance, six out of 14 counties that published at least one implementation report came from this regional economic bloc

Figure 27: Performance of Counties in the North Rift Economic Bloc CBTS 2020 & 2021



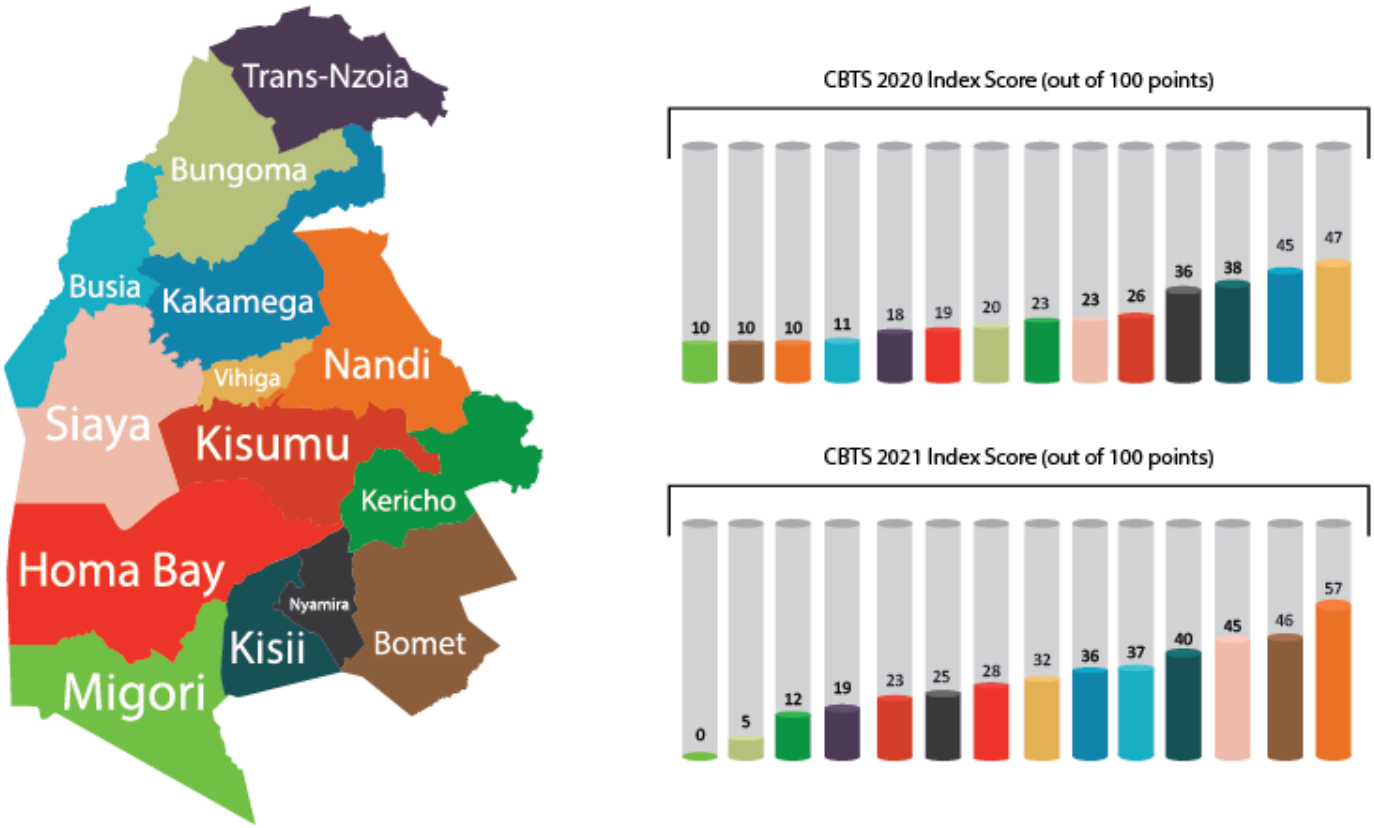
Source: IBP Kenya CBTS 2020 and CBTS 2020

Two top-performing key budget documents come from this regional bloc, i.e. Baringo county. Quarterly Budget Implementation Report on comprehensiveness and the Finance Act, where Elgeyo Marakwet provided all the information evaluated.

b) Lake Region Economic Bloc

The Lake Region Economic Bloc recorded a slight improvement from an average score of 24 to 29 out of 100 points, which is still below the overall average CBTS 2021 index score of 35. Except for Nandi County, which had 57 points, all 13 counties scored below 50 out of 100 points. However, seven counties recorded improvements in their transparency scores compared to CBTS 2020.

Figure 28: Performance of Counties in the Lake Region Economic Bloc - CBTS 2020 & CBTS 2021



Siaya county published all four implementation reports on Implementation Reports, while Nandi county published two out of four. All other counties did not publish even a single implementation report. Important to note that the Citizen Budget was the least published budget document in this bloc and was only published by three counties: Homa Bay, Kisii, and Nandi.

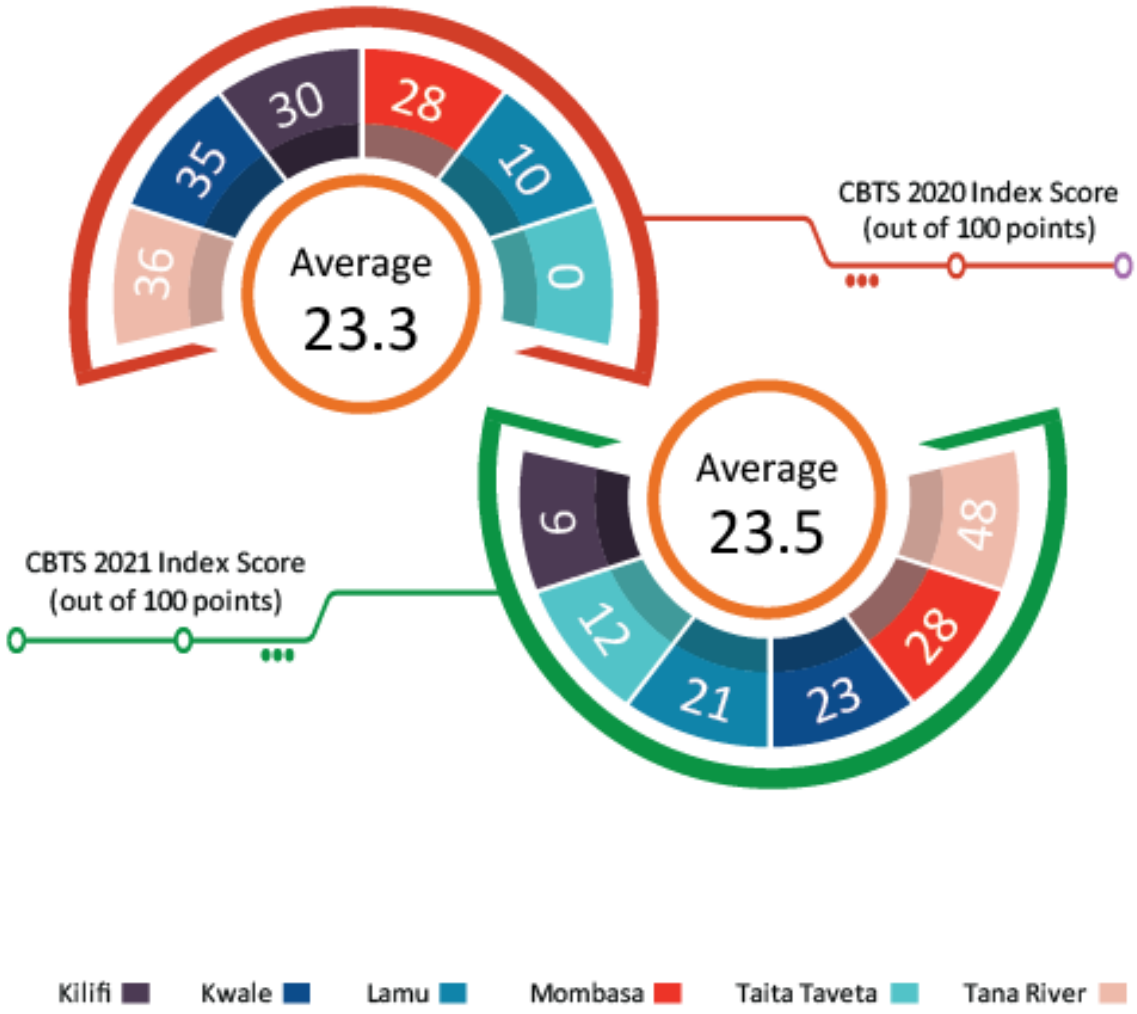
Kericho County disclosed the least information in the approved Programme Based Budget and Annual Development Plan, only 28 and 21 out of 100 points, respectively.

Bungoma County scored 21 out of 100 points on their County Fiscal Strategy Paper, the least level of information provided across all counties on the document. This shows that the budget documents in this regional economic bloc lack specific details of the information needed to monitor service delivery and government responsiveness to civic action remains low.

c) Jumuia ya Kaunti za Pwani Bloc

The counties in Jumuia ya Kaunti za Pwani published only 25 percent of the budget documents required online. The average county budget transparency index score is 23.5 out of 100 points. In this economic bloc, four counties improved their CBTS 2021 index compared to CBTS 2020. Three counties recorded a decline, and Kilifi county stopped publishing the CFSP and Approved PBB, while Kwale County stopped publishing the Citizens Budget and the Annual Development plan, which it previously published in CBTS 2020. This shows how counties are inconsistent in making budget documents publicly available.

Figure 29: Performance of Counties in the Jumuia ya Kaunti za Pwani - CBTS 2020 & 2021



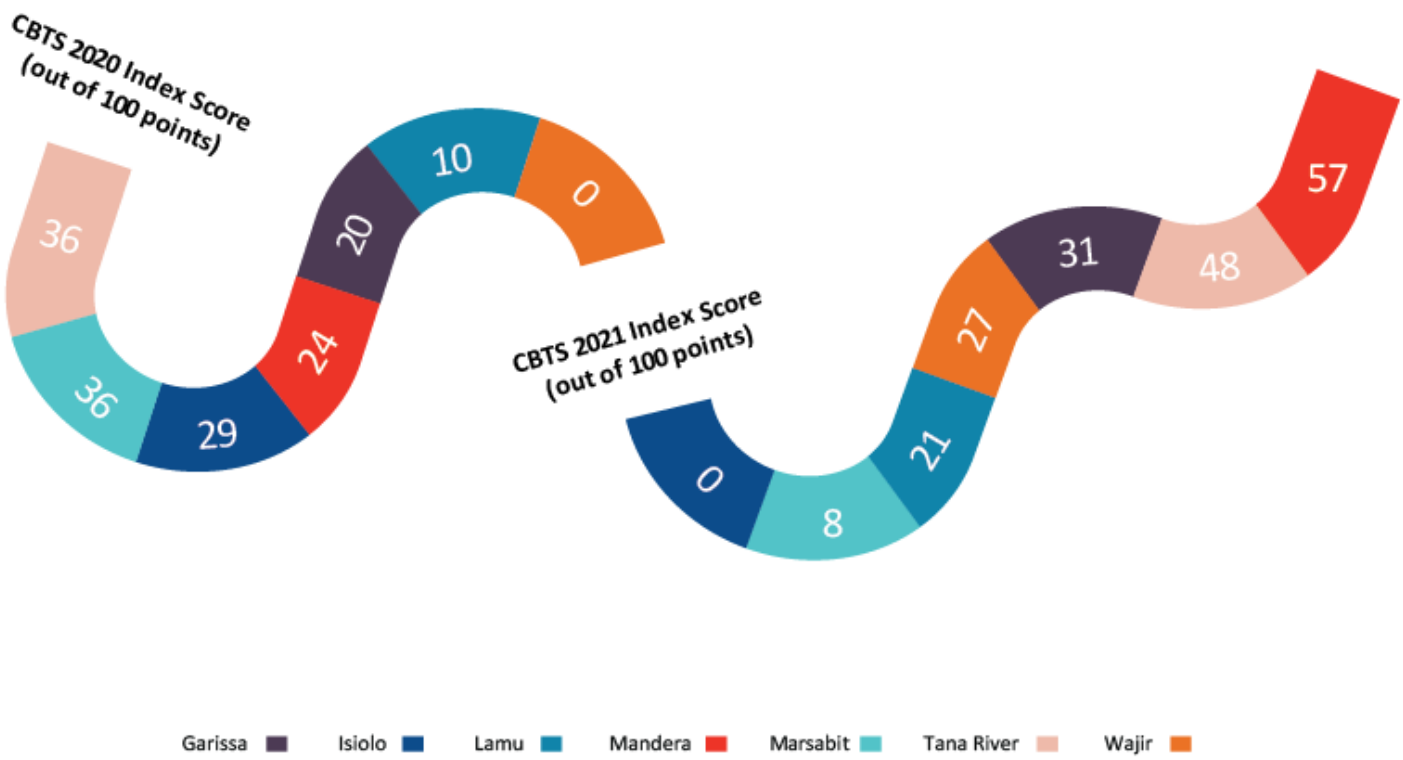
Source: IBP Kenya CBTS 2020 and CBTS 2020

Other least published budget documents in the region include the Finance Act published by Taita Taveta county only. In addition, only Tana River County published a Citizens Budget, which remains a gap in the Coastal region. From the survey, only Kwale county in the Jumuia ya Kaunti za Pwani provided 11 out of 100 points of information on public participation.

d) Frontier Counties Development Council Performance

Five out of seven counties in this regional bloc recorded improvements in their County Budget Transparency index compared to the survey conducted in 2020. However, there is a significant difference at the level of the individual counties. Only Mandera County published the implementation reports in the bloc even though it does not publish across the financial year.

Figure 30: Frontier Counties Development Council Performance - CBTS 2020 & 2021



Source: IBP Kenya CBTS 2020 and CBTS 2021 Analysis

The survey further shows two counties, Tana River and Wajir, published approved Programme Based Budgets in CBTS 2021, which is an improvement from none in CBTS 2020.

Some of the counties that stopped publishing documents in this bloc include Garissa county, which failed to publish the Citizens Budget.

e) Central / Mt. Kenya and Aberdares Regional Bloc Performance

In this regional bloc, there was a drop in the CBTS score from 39 points in CBTS 2020 to 36 points in the CBTS 2021. Six out of 10 counties within this bloc recorded a decline in their scores compared to CBTS 2020, as in figure 31. This level of inconsistencies in the publishing of budget documents is the main challenge for the region. A good example is that Laikipia, Nyandarua, Tharaka Nithi and Embu dropped in their index scores because they stopped publishing at least one budget document they had made publicly available in CBTS 2020.

Figure 31: Central Kenya/ Mt. Kenya and Aberdares Regional Economic Bloc- CBTS 2020 & 2021

Source: IBP Kenya CBTS 2020 and CBTS 2021

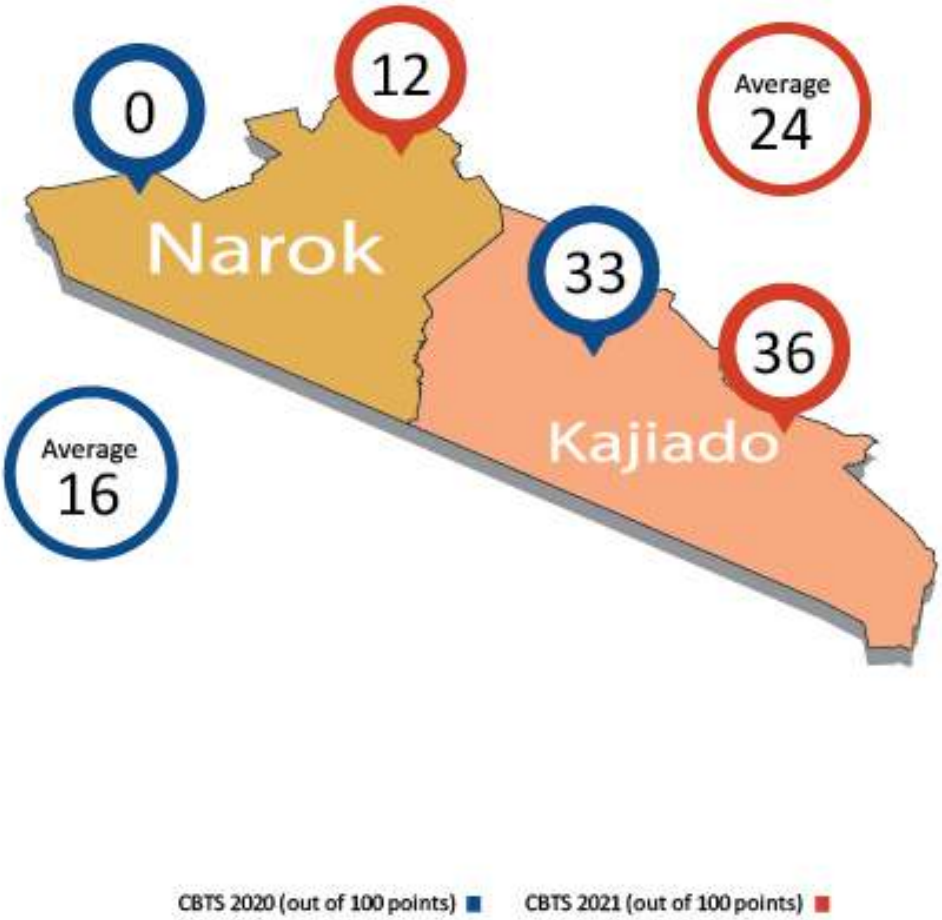
However, two of the best performing counties in the country are from this region. The findings show that Kirinyaga county is the most improved county in the region and countrywide, with a score of 59 from a no score situation in CBTS 2020. With a score of 72 points, Nyeri is the highest-ranked county in the block and across the county.

On the level of information provided in the published budget documents, Nakuru county provided the highest information on CFSP compared to all other counties at 93 out of 100 points. On the other hand, Nyandarua county disclosed the least information on the CBROP at 49 out of 100 points compared to other counties across that published CBROPs.

f) Narok-Kajiado Economic Bloc

This regional bloc recorded improvements on the index from 16 to 24 out of 100 points in CBTS 2021, mostly driven by Narok's improvement from a no score in the last round. Kajiado county presents the highest information on the Citizens Budget at 69 out of 100 points; this was also the same performance in CBTS 2020.

Figure 32: Narok- Kajiado Economic Bloc Performance

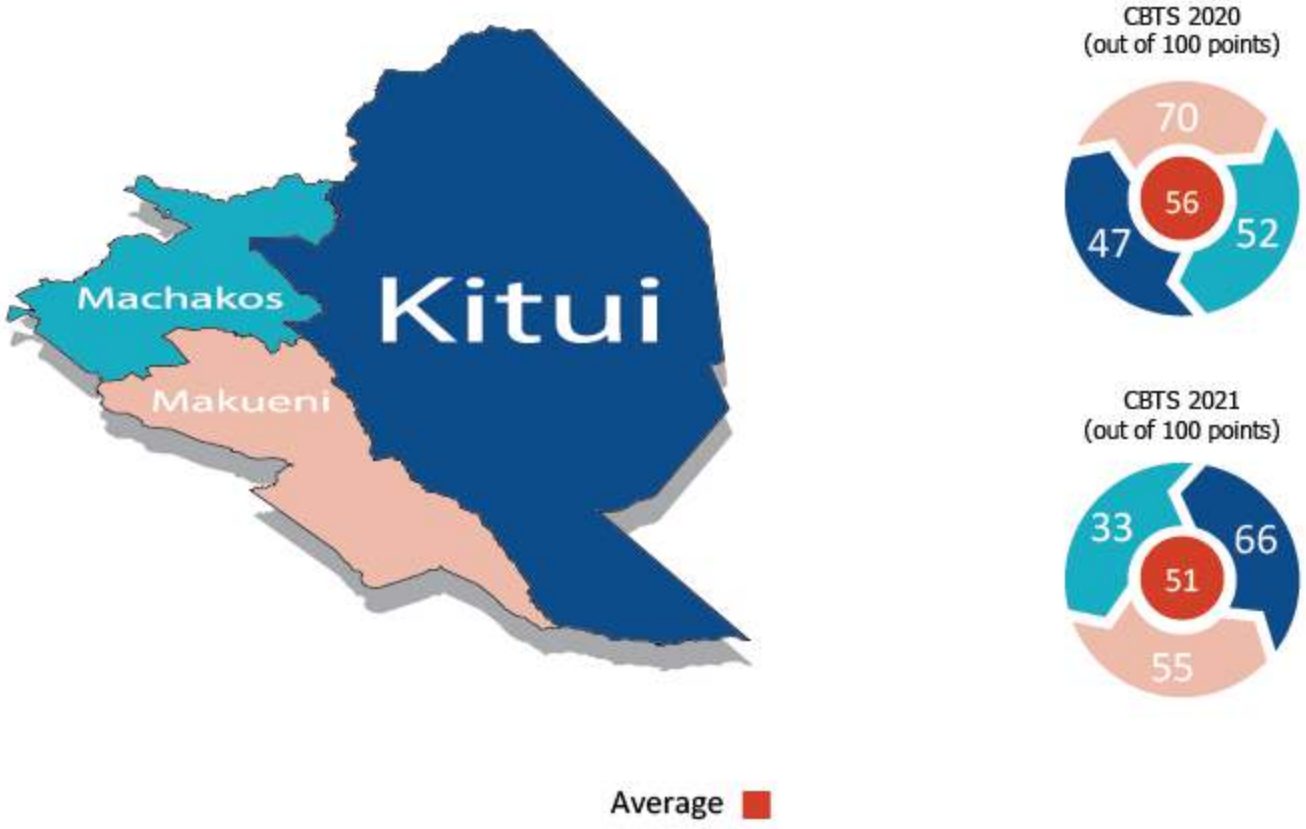


Source: IBP Kenya CBTS 2020 and CBTS 2021

g) Southeastern Kenya Economic Bloc

This bloc has the highest budget transparency score in the 2021 survey with 51 out of 100 points, which was a decline from 56 points in CBTS 2020. As shown in figure 33, both Makueni and Machakos dropped in their index as they stopped publishing several budget documents consistently. However, Kitui made a significant improvement to emerge as one of the top counties in the country.

Figure 33: Southeastern Kenya Economic Bloc Performance - CBTS 2020& 2021



Source: IBP Kenya CBTS 2020 and CBTS 2021

All three counties made the Annual Development Plans, the County Fiscal Strategy Papers, and approved Programme Based Budgets publicly available in the CBTS 2021.
All three counties had published at least one implementation report in CBTS 2020, but Makueni and Machakos counties stopped publishing in CBTS 2021, while Kitui published all four consistently across for the financial year 2020/21 evaluated.

Section 5: Are Counties Becoming More Responsive?

It is encouraging to note that counties are becoming more responsive to the survey and are open to improve the level of budget information they make publicly available. When the draft results of the availability part of the survey were shared with the counties for review many took the opportunity to publish their budget documents. In the final review of the county websites, 25 counties had published at least one more document and this increased the number of documents by 87 which was a 78% increase compared to the initial check a month earlier.

The Survey shows that Counties are Becoming More Responsive

To ensure fairness in the survey, the draft results at both components of the survey, that is Availability and Comprehensiveness, are sent to the counties through Courier Services (G4S) to ensure that they are all delivered to the county offices and followed up through emails with similar details to four county offices. All the 47 counties (four government officials) are offered similar opportunities at the same period to comment on draft survey results in both stages. The county officials also have a chance to discuss the results with the IBP Kenya staff and explore ways to improve their budget openness. Evidence shows that the number of counties that reaches out to IBP Kenya in finding ways to improve budget transparency has continued to increase.

Even though there is still a low level of feedback provided by counties in the CBTS 2021, there are improvements compared to the previous year's survey on the number of counties responding to the survey and its findings. Counties that directly responded to IBP Kenya have shown commitment to continually improving the level of budget information.

The Government's' Responses to the Availability Survey Draft Results

All the 47 counties were given an opportunity to comment on the accuracy of the draft CBTS results. In the availability survey, the draft results were shared with all the 47 Counties in August of 2021, and they were given two weeks to provide feedback or upload the missing budget documents before check conducted. At the end of the two weeks, nine counties formally replied to the draft results through phone calls, messages, or email and made more budget documents publicly available. Notably, Siaya, Laikipia and Nandi Counties followed-up by making sure all the budget documents that the county had not previously published were publicly available. At the end of the availability survey period, at least 25 counties made at least one more budget document available to the public. In all 87 more documents were uploaded just by the prompt of sharing the results which is encouraging.

The Governments' Responses to the Comprehensiveness Survey Draft Results

The draft County Budget Transparency Survey comprehensiveness results were shared with all the 47 counties in October of 2021 and given one month to review and provide feedback. The draft results were accompanied with guidance on how to do the review and respond.

Out of the 47 counties, 19 counties acknowledged receipt of the draft comprehensiveness survey results in 2021 compared to only 2 in CBTS 2020. The counties include Nandi, Makueni, West Pokot, Nyeri, Busia, Lamu, Muranga, Taita-Taveta, Kakamega, Narok, Bungoma, Mombasa, Tana River, Vihiga, Kericho, Kilifi, Kisii, Kwale and Nyandarua. When compared to the feedback received in CBTS 2020, only two counties had responded by officially writing to IBP Kenya, although there were no commitments from counties to provide feedback, as was the case in the current survey.

Only five counties: Mombasa, Tana River, Vihiga, Bungoma, and Nyeri, wrote back to IBP Kenya with the feedback, while Nandi county confirmed through a phone call on the accuracy of the comprehensiveness survey draft results.[8]

Are there Gains in Sharing the Results with Counties?

Since the County Budget Transparency Survey on availability of budget documents conducted in 2017, IBP Kenya has consistently shared the draft results with all the 47 Counties and there has been a growth in the number of budget documents that counties make available online upon such requests. The County Budget Transparency Survey 2021 results show that 78% more budget documents were published online when results were shared with counties; this was an improvement when compared to 50% in CBTS 2020.

Box 8: Some of the challenges often noted at the availability component

Challenges Related to the lack of clarity from Counties on the Final Budget Documents

- One of the challenges is publishing of draft budget documents online with some indicating for the purpose of comments only. This means, those budget documents which should be indicated 'Approved' i.e., Programme Based Budgets are flagged, and the comments provides alongside. Some of the counties that published draft documents, especially CFSPs, include Wajir, Taita Taveta, Trans Nzoia. Kisumu county published a draft County Budget Review and Outlook Paper.

- In addition, the Approved Programme Based Budgets have often been flagged in the previous surveys as one of the budget documents that most citizens cannot understand whether it is approved or not approved. It is worth noting that the number of counties publishing these Programme-Based Budget did not indicate whether approved or not, has continued to drop significantly. In the County Budget Transparency Survey 2019, 30 counties had either published a line-item budget or budget estimates that are not indicated whether approved or not; this reduced to only seven counties in CBTS 2020 that failed to indicate. Importantly, only five counties in the CBTS 2021 had not indicated whether their Programme Based Budgets are approved or not. The gains are attributed to the sharing of results with the right government officials who have got clear understanding of what is required in the Programme Based Budgets.

- Wrong labeling of budget documents has also been another pertinent and common issue in some of the counties. A good example is labeling the Finance Bills as Finance Acts. There is also confusion in the implementation reports with some actually being financial statements or projects statuses reports. More so, BAC reports are sometimes labeled as the actual key budget document. For example, Kericho county Fiscal Strategy Paper BAC report is indicated as the CFSP.

[8] Read annex 6 for more details on specific Counties Feedback at both components of the survey- Availability and Comprehensiveness.

Challenges related to Accessibility of Budget Documents in the Official County Websites

- Some counties' websites cannot be accessed using the common web browsers that common citizens including those in the marginalized areas are likely to have installed i.e., Google Chrome, Opera Mini. For example, during the period Lamu County page was only accessible through Microsoft Edge and not in any other browser. This limits the scope of accessibility of the published budget documents by the poor and marginalized citizens.

- More so, some counties replace the previous year's budget documents with the current year budget documents. This means the budget documents for past years are not publicly available as it is required that all the budget documents should always be public.

- Some budget documents have downloadable links, but the budget documents cannot be downloaded, or the content cannot be accessed in the web browser. For example, Kwale county had download tab bars for Annual Development Plan and County Fiscal Strategy Paper but upon sharing the results with the county, only the County Fiscal Strategy Paper was resolved. ADP was still not publicly available. Another example is Baringo county which had three key budget documents available, but the downloadable tabs are not going through. The documents were the Annual Development Plan, County Budget Review and Outlook Paper and Citizen Budget.

Learning from Advocacy: Counties are more open to improve the level of their budget transparency[9]

From a learning point, there is some level of appreciation of the County Budget Transparency Survey results by government officials who have a clear understanding of its value and which is also a basic legal requirement. While the national government institutions play a critical role in some of the issues that directly have an impact on budget transparency, counties should follow what the legal framework requires them to do.

Even so, with clear guidelines, there is a willingness and motivation in governments to be more transparent. The technical county governments' officials who have a responsibility in providing the budget information have an understanding that their budget documents misses some aspects of information required to be provided comprehensively. Some commitments from counties:

- Counties agreed to upgrade their county websites and publish the budget documents that were missing. A number of counties improved their websites and budget documents are accessible to the public.
- Emerging experiences is that some counties have no understanding that they should publish some key budget documents despite direct provision on the PFM law. Counties committed to developing and publishing the budget documents such as county quarterly implementation reports, Citizens Budgets and Finance Acts.
- Changes in priorities without public consent. Budget documents are binding instruments to service delivery and where a budget document's contents are changed, participation is necessary especially on Supplementary Budgets which over 40 counties passed but only five counties published.
- Weak oversight is also blamed for poor budget transparency. County Assemblies bear a greater role in ensuring the budgets never go un-scrutinized during the approval stages and during the implementation stages.

[9] Read annex 2 for more details on collective efforts to improve budget transparency and the utilization of the CBTS 2020 results by the regional budget hubs led by CSOs.

Section 6: Modular Research Pieces

The County Budget Transparency Survey is a comparative survey that should fairly assess all the counties based on standardized tools. However, there are important budget issues that counties should make public but cannot be fully assessed across all the counties due to their subjectivity. This includes issues like equity in the budget documents, models of public participation, and information on supplementary budgets. Therefore, they require a separate analysis that still provides some insights into the level of transparency in a sample of counties without the complication of creating a measurement index. This year, the two extra studies accompanying the CBTS 2021 looked at transparency on supplementary budgets and equity. Assessing information on supplementary budget is done as a module since legislative amendments may not necessarily be passed in all the counties and thus not comparatively assessed. However, the number of counties that gives the legislative amendments has significantly grown in the recent past.

Modular Research One: Do County Supplementary Budgets Undermine Budget Transparency?

A focus on the level of information provided in the Supplementary Budgets.

A Supplementary Budget presents the budget and adjustments (increase or decrease) from what was previously approved by the legislature. This usually occurs during the budget implementation stage due to but is not limited to unforeseen and unavoidable expenditures that could not be accommodated during the preparation of the budget. A survey by IBP Kenya on legislative amendments and supplementary budget changes in Kenya: A case survey of Baringo and Busia counties has shown that supplementary budgets are common at the county level and happen several times, with some significant changes made in the approved budgets. Budget practitioners have always raised concerns about the procedures that counties follow in approving the supplementary budgets, which have been a real risk to priorities which are originally generated after rigorous public engagement and scrutiny in formulating the budget. The PFM Act provides all details and structure that a Supplementary Budget must follow.

The PFM laws provide details that a Supplementary Budget follows a similar classification and format of the annual budget estimates, with any changes to the approved budget being clearly identified and described or justified. The legislature authorizes any material changes to the approved budget. The information on any changes should be provided by counties whenever changes are made. The survey focused on five counties that made Supplementary Budgets in FY 2020/21 publicly available which include: Turkana, Busia, West Pokot, Nairobi and Kiambu. This section presents the findings on the level of information provided.

- Despite 85% of counties passing at least one Supplementary Budget in FY 2020/21, only 11% or five counties published them according to the CoB 3rd and 4th quarter implementation reports.

- The comprehensiveness of the available supplementary budgets shows that slightly above 50 out of 100 points of the information required to be disclosed to the public whenever a Supplementary Budget is adopted is provided to the public; this is more less the same as the level of information provided in the approved Programme Based Budgets at 49.5 out of 100 points.

- Counties do not provide actual reasons that justify the need for budget changes. The survey found that only two of five counties with supplementary budgets have the information without clear reasons on why supplementary budgets were necessary, i.e., 'arising expenditure needs for which no money had been appropriated for in the Appropriation Act'. Even so, none goes beyond providing reasons why changes were necessary at the departmental level even where there are clear deviations in the budgets and departmental sections without details on changes. We found that some of the reasons leading to budget changes may be beyond counties. From the controller of budget implementation reports include factoring in the unspent balances carried forward from the previous financial year, stalled projects that should have been prioritized earlier. In addition, factoring in unbudgeted funds such as conditional grants, policies not adhered to may lead to Supplementary Budgets according to BAC report.

- The PFM Act sets a maximum ceiling of ten per cent on the overall budget, at votes and programmes that may be moved by counties. This information is crucial as it may directly affect the major priorities initially from public participation and should be disclosed to enable the public to understand whether there are shifts in priorities. None of the five published Supplementary Budgets published gives narrative information that justifies whether the changes made are within the threshold. However, four of them provided information which the public may use to calculate the changes through expenditure tables with comparisons from the approved budget to the supplementary budget with even some capturing changes.

- Another key finding from the survey is that the published Supplementary Budgets provided more information on expenditure mostly focused on the expenditure information. All the five counties presented the revised budget figures by their votes and at the programme levels with the approved budget comparisons. To be specific, the Supplementary Budgets provided information on the Approved and Revised budgets but did not provide the actual spending at any administrative or functional levels, nor do they provide narrative information on the status of the actual budget at the time when the supplementary budget is developed. Even so, Turkana County presented a basis in which citizens could calculate the information on the actual expenditure as at the time when the supplementary budget was passed. This further means four counties have no details on actual expenditure on the budget already executed by the county.

- It is required that supplementary budgets should have information on the latest fiscal projections for both financial and non-financial. The survey found that all the five counties presented at least two outer latest fiscal projections for the non-financial information. Only Busia County presented the departmental expenditure projections for at least two outer years.

- Lastly, counties provide only 30 out of 100 points on the information on the impact on fiscal responsibilities.[10] The Supplementary Budget module assessed whether the information explaining the fiscal responsibility principles and their financial objectives as a result of changes in expenditures is provided. This turned out to be among the least provided information. However, three out of five counties assessed provided some information that explains the impact of fiscal responsibilities on the changes. This should cover all the fiscal responsibilities. For example, in the Supplementary Budget for the Nairobi City County, there is no such information.

[10] Limits set by the PFM Act to guide how resources are allocated and utilized across broad categories in the budget, such as wages, recurrent and capital spending.

In conclusion, whenever counties pass legislative amendments, they should make them publicly available on time just like other budget documents. Also, the counties should follow what the law requires when developing Supplementary Budgets and present full details. Even though not all times, Supplementary Budgets can be a source of confusion especially in monitoring implementation if they are not published. They should also be used to communicate comprehensively to the public any shift in priorities and implications on fiscal responsibilities. The counties should ensure during the stage of Approved Programme Based Budget all sources of funds are factored in the budget to avoid unnecessary revisions.

Modular Research Two: Understanding the Equity of Resources in Counties

According to KNBS comprehensive report, 23.4 million Kenyans are multidimensionally poor. Importantly, it is perceived that the county would respond to citizens' needs, and they would be involved in deciding how their budgets should look into the existing equity issues that the national government could not tackle pre-devolution. For example, in Narok county, about 80 percent of its population lacked improved water sources in 2013, but this has improved, which according to census 2019, water access in the county is at 52 percent. This is as a result of devolution that meant key budget decisions in the hands of county officials and citizens that ensures budgets are used to reduce inequalities in access to basic services.

In the modular piece the focus was on five counties: West Pokot, Kilifi, Elgeyo Marakwet, Nyeri and Kakamega which published the Approved Programme Based Budgets in FY 2019/20 and County Budget Review and Outlook Paper or implementation report. This modular research further focused on the information that counties' budget documents should provide on how they are dealing with inequalities using four key questions as outlined in the table below:

Four Key Questions to Further understand the Level of Information on Equity In-depth

1	The Availability of legal frameworks that counties have put in place focusing on how resources are distributed, i.e., Elgeyo Marakwet County Equitable Development Fund Act 2015. How do counties that do not have any legal structures deal with equity issues? How are counties considering the existence of CRA 2nd marginalization policy and the widely accepted equity principles in their budget documents? The survey found that even where there are existing legislative policy reforms in the county that are meant to address the equity issues, the counties have no information on their budget documents that shows how the issues on equity are addressed from budget allocation to where budget is executed. A good example is the Elgeyo Marakwet county, with an existing legislative framework on the distribution of resources. In that case, there should be an analysis of equity in their CBROP, and budget implementation reports to show whether their way of distributing resources resulting in an equitable outcome. However, the county only mentions the Programme Based Budget. Notably, West Pokot and Kilifi counties are counties with a high number of marginalized areas according to the CRA second marginalization policy, but from the point of the budgets, the counties do not provide any mechanisms to address marginalization in these areas mentioned in the policy.

2	Is there information on equitable collection and distribution of resources i.e. the information on equity on revenue collection for both estimates and actuals; also, information pointing to intended and actual beneficiaries on the distribution of resources? The survey found that in all the five counties evaluated, none provided information on equity in revenue collection even though the counties provided detailed information on revenue sources. For example, Nyeri county gives a narrative on why the county could not achieve its revenue targets in the year i.e., the drop in own-source revenue was mainly occasioned by the Covid-19 containment measures that led to the closure of businesses, but this does not show how any equity measure was put in place by the county. Also, Kilifi budget documents give details on revenue sources but do not provide information on how revenue burden is distributed to achieve equity, i.e., OSR will decline in the coming two FYs as the impact of COVID-19 policies in place. In this case the county should have explained the impact on the small businesses and how that would be cushioned as a result of declining revenue. The county has no information on ways to promote equity specifically to small businesses that are negatively affected, etc.
3	Do budget documents have information that can enable citizens to tell how equity is upheld in the implementation of budgets, and how do budget adjustments affect equity based on the re-allocations in terms of geographical shifts? The budget changes have been known to interfere with budget allocations leading to a shift in priorities due to re-allocations, thus interfering with efficiency in service delivery. The survey looks at the justification behind the completion and incompletion of capital projects based on the geographical locations and the beneficiaries. From the findings, counties do not utilize the available data to address the inequities in their counties. i.e., Kakamega county PBB provides that KACWASCO supplies water to at least 340,000 persons in specific locations. It also mentions 10.1 per cent of the population that uses unimproved water sources according to KNBS report 2015/16. Further, it provides that the county has developed mechanisms to enhance the commercial viability of the rural water projects and schemes through public-private partnerships (PPPs) and private sector participation (PSP) through water department legislation and policies. However, from the equity perspective, the county does not give information on how these policies solve equity in ensuring the 10.1% access safe and clean water; there is no information on which geographical locations are this 10.1% of the population. At the end of completion of a capital project, the budget documents should provide details on the achievements, focusing on who benefits from it and how the completion of development projects reduces inequalities based on clear baselines and indicators. A good example is Nyeri county which provides information on the achievements i.e., the PBB's health department, how were the 91 health workers and 137 mixed health workers redistributed to ensure equity? Kilifi County has no information on their CBROP and implementation reports that try to highlight achievements of the capital projects and how it is addressing the equity issues, which makes it difficult for one to know the actual beneficiaries. We should have seen how Kilifi County is trying to uplift the poorest in the budget. The impact of equity on re-prioritization or through legislative amendment is another issue that is looked into. For example, Kakamega county highlights that the 2019/20 budget has been prepared by reprioritization of existing funding within the expenditure ceiling, with movements away from lower priority areas to key priorities areas. To promote equity, such changes should be accompanied with explanation of the positive or negative impact it may have on poor and marginalized groups.
4	Budget documents usually present recurrent and development budgets, but this question focuses on what kind of information is provided on the recurrent budget that points us to equity? i.e., operations and maintenance costs have always been pointed out as a root cause of changes of service delivery, leading us to determine whether the county has provided a budget for fieldwork on proposed projects and the existing ones?

	The findings show that all the counties evaluated generally do not analyze the outcomes on the recurrent budget that should address the equity issues. All these counties do not give any information on what has been achieved in terms of equity, i.e., no details whether there have been improvements in people getting services from the poor and marginalized communities or simply what the county is intending to do over the coming quarters or coming years to address the equity challenges. Even though Nyeri Programme Based Budget has tried to provide some level of breakdown of the health workers in the county, there is no information showing how equity has been adhered to, say by geographical distribution or per health facility. In addition, the county has no details at the implementation stage. Elgeyo Marakwet and Kakamega counties have no information explaining how recurrent expenditure is utilized for equitable outcomes. Also, in the CBROP 2020, Nyeri county indicates that the UHC pilot came to an end, but there is no analysis of its impact; specifically, how did the UHC address the equity issues in the county?

In conclusion, citizens' monitoring of services is beyond budget transparency, which from this survey found that counties do not present the information that enables citizens to analyze the impact of resources on equity perspective.

Section 7: Conclusion and Recommendations

Conclusion 1: On one hand, counties are responsive to the survey shown by the improvement in average scores, but on the other hand, it is clear that counties produce budget documents but do not make them available to the public.

The law provides the timelines within which all the key budget documents are required to be published by the counties. In addition, the information required to be provided in each key budget document is provided in the law. Counties should understand that the guidelines do not substitute the provision of the law's information but should supplement it to enable citizens to engage in the budget process meaningfully. The county treasury should ensure all the departments responsible for the preparation of budget documents prepare them on time.

Conclusion 2: Over the years, the County Budget Transparency Survey has revealed inconsistencies in how counties make budget documents publicly available. Notably, in CBTS 2021, counties did not publish 46 budget documents that they published in CBTS 2020.

Where approvals of budget documents are required, the county treasury should submit them on time and give adequate time to the county assembly to review and approve. In this regard, counties should release budget documents on time to the public by uploading them to the right designated folders that are easily accessible. In addition, to improve budget transparency, the counties should embrace and take advantage of technical support provided by the knowledgeable CSOs on the kind of information required by the law and the information they require as they engage in their organized citizen actions groups. For example, Citizens should leverage with the ICT department, which has been found to be responsible for publishing the budget documents on the websites.

Conclusion 3: Whereas there was an improvement in the level of information on public participation across the budget documents, it remains weak. In particular, just like in CBTS 2020, no approved Programme Based Budget provided information on public participation in CBTS 2021.

Both county executive and the assembly should ensure sections with information on public participation and feedback mechanism are provided. The county assembly needs to ensure, before making any approvals to the budget documents, a thorough review of the information on public participation is made, and where the information is missing, the county treasury should be asked to provide such details in comprehensive manner. More importantly, citizens should not be kept in the dark at the implementation stage; instead, they should be given feedback on the queries they raise.

Conclusion 4: The findings show the emerging counties that have embraced budget transparency and making significant improvements, i.e., Kirinyaga, Nandi and Mandera counties, all from different regional economic blocs.

The knowledgeable budget facilitators and budget champions, together with the public, should utilize the County Budget Transparency Survey findings in their engagements with government officials specifically on the missing information and be able to provide input into public participation directly and through written comments. They should also follow up on the feedback.

Conclusion 5: From the survey, regions that did well in CBTS 2020 have done well in the current survey CBTS 2021.

These include the counties in the North Rift Economic Bloc and Southeastern Kenya bloc, and thus it is time to consider peer to peer learning between the regional blocs to utilize the good and emerging practices. Counties should embrace the good practices in counties with better levels of budget transparency. For example, counties need to produce all the budget documents.

Conclusion 6: In the last few surveys, a number of counties embraced budget transparency while others are yet to. For example, over the years, Elgeyo Marakwet, Nyeri, Samburu, West Pokot and Turkana counties have often remained the most transparent counties, while Migori and Narok counties have remained the least transparent.

County governments are required to publish and publicize budget documents on time. The office of the controller of the budget should ensure all the counties are tasked to publish all budget documents and submit them to the CoB at different stages of the budget process. Also, the CSOs, together with government officials, should conduct peer to peer learning between the regional blocs to utilize the good and emerging practices on various budget documents that should improve the level of information

Conclusion 7: The comprehensiveness of budget information on published budget documents remains wanting. For example, the findings reveal a budget document that only disclosed 7 out of 100 points of the required information.

How counties present the information on the implementation reports remains a challenge, and there seems to be confusion on how they should look or even if they should be published. There is a need for guidance to counties from the responsible actors at both the national and county level. Non-adherence to the PFM laws as a result of guidelines from the National government Institutions that are inconsistent with the law. When consolidating the budget information, the county treasury should ensure all the details required by law are provided in a unified manner, and where information is missing, it should task the departments in charge to provide the information. Also, the National Treasury has a responsibility to provide technical capacity to the counties. It is recommended that it should develop the tools and provide training on budget transparency to technical officials in counties to improve the level of budget information it discloses to counties.

Conclusion 8: Availability of templates, guides to some budget documents missing crucial information required by the PFM Act.

Templates tasking counties on the kind of information required by the users, especially at the stages when counties are developing budget documents, are effective. Where there are templates requiring the counties to provide budget information, the CSOs should task the government to present full information as provided in the PFM Act. In addition, where there are gaps in the templates and guides or missing templates, the CSOs should take the opportunity to develop these tools and sensitize the government officials to provide the information required. The CSOs should align their advocacy with stages where budget deliberations are happening, especially on the missing budget information in various thematic areas.

Annex 1: Availability of Key Budget Documents CBTS 2021

CBTS 2021-Availability of Key Budget Documents on the Official County Governments Websites (Either County Executive or Assembly)

	County	Annual Development Plan 2020/21 (Published latest 7th September 2019)	Approved Program Based Budget 2020/21 (Made Public 21st July 2020)	County Fiscal Strategy Paper 2020 (Made Public by 21st March 2020)	County Budget Review and Outlook Paper,2020 (Made Public by 28th October 2020)	Citizen/ Mwananchi Budget (Accompany Budget Estimates 2020/21)	County Budget Implementation Report (1st Quarter 2020/21) (Publicly available by 31st October 2020)	County Budget Implementation Report (2nd Quarter 2020/21) ((Publicly available by 31st December 2020)	County Budget Implementation Report (3rd Quarter 2020/21)(Publicly available by 30th April 2021)	County Budget Implementation Report (4th Quarter 2020/21)(Publicly available by 31st July	Finance Act 2020 (Publicly Available 7th July 2020)	No of Documents Available
1	Elgeyo-Marakwet	1	1	1	1	1	1	1	1	1	1	10
2	Nyeri	1	1	1	1	1	1	1	1	1	1	10
3	Turkana	1	1	1	1	1	1	1	1	1	1	10
4	Kirinyaga	1	1	1	1	1	1	1	1	1	0	9
5	Kitui	1	1	1	1	1	1	1	1	1	0	9
6	Samburu	1	1	1	1	1	1	1	1	0	1	9
7	West Pokot	1	1	1	1	1	1	0	1	1	1	9
8	Nandi	1	1	1	1	1	1	1	0	0	1	8
9	Mandera	1	0	1	1	1	0	1	1	1	1	8
10	Laikipia	1	1	0	1	0	1	1	1	1	0	7
11	Siaya	1	1	0	0	0	1	1	1	1	1	7
12	Makueni	1	1	1	1	1	0	0	0	0	1	6
13	Kiambu	1	1	1	1	0	0	0	1	0	1	6
14	Kisii	1	1	1	0	1	0	0	0	0	1	5
15	Tana River	1	1	1	1	1	0	0	0	0	0	5
16	Bomet	1	1	1	1	0	0	0	0	0	1	5
17	Nairobi	1	1	1	1	0	0	0	1	0	0	5
18	Kajiado	1	1	1	0	1	0	0	0	0	0	4
19	Nakuru	0	1	1	1	1	0	0	0	0	0	4
20	Busia	1	1	1	1	0	0	0	0	0	0	4
21	Kakamega	1	1	1	0	0	0	0	0	0	1	4
22	Baringo	0	0	1	0	0	1	1	1	0	0	4
23	Vihiga	1	0	1	1	0	0	0	0	0	1	4
24	Machakos	1	1	1	0	0	0	0	0	0	0	3
25	Mombasa	1	1	1	0	0	0	0	0	0	0	3
26	Nyandarua	0	1	1	1	0	0	0	0	0	0	3
27	Uasin-Gishu	1	1	1	0	0	0	0	0	0	0	3
28	Wajir	1	1	1	0	0	0	0	0	0	0	3
29	Homa Bay	1	0	1	0	1	0	0	0	0	0	3
30	Garissa	1	0	1	1	0	0	0	0	0	0	3
31	Kericho	1	1	0	0	0	0	0	0	0	0	2
32	Kisumu	0	1	0	1	0	0	0	0	0	0	2
33	Embu	1	0	1	0	0	0	0	0	0	0	2
34	Kwale	0	0	1	1	0	0	0	0	0	0	2
35	Lamu	1	0	0	1	0	0	0	0	0	0	2
36	Meru	1	0	1	0	0	0	0	0	0	0	2
37	Muranga	1	0	0	1	0	0	0	0	0	0	2
38	Nyamira	0	0	1	1	0	0	0	0	0	0	2
39	Taita-Taveta	0	0	1	0	0	0	0	0	0	1	2
40	Trans-Nzoia	1	0	1	0	0	0	0	0	0	0	2
41	Tharaka Nithi	0	0	0	0	1	0	0	0	0	0	1
42	Bungoma	0	0	1	0	0	0	0	0	0	0	1
43	Kilifi	1	0	0	0	0	0	0	0	0	0	1
44	Marsabit	1	0	0	0	0	0	0	0	0	0	1
45	Narok	0	0	0	1	0	0	0	0	0	0	1
46	Isiolo	0	0	0	0	0	0	0	0	0	0	0
47	Migori	0	0	0	0	0	0	0	0	0	0	0
	Total Available	35	27	35	26	16	11	11	13	9	15	198
	Key	1	Publicly Available	0	Not Available							

Annex 2: Collective Efforts to Improve Budget Transparency, Utilization of the CBTS 2020 Results, in the Regional Budget Hubs

The collective efforts from citizens in the regional hubs could be attributed to the increase in the budget transparency scores. Counties developed action plans which focused on improving budget transparency. This has been evidenced by the key requests that citizens make by asking for the information in their county entities that are often missing for their participation engagements. This has not only improved budget transparency in some regional blocs but also improved confidence in citizen participation. good example is the engagements using the CBTS 2020 results by the budget facilitators and champions in the Coast regional hub which showed improvements by three counties in the regional bloc. Even though it was a slight improvement, Jumuia ya Kaunti za Pwani bloc still trails all other regional economic blocs. The bloc only discloses 23.5 out of 100 points. The improved fiscal transparency has been portrayed by counties making more Budget Documents publicly available.

How are Budget Transparency initiatives implemented and what opportunities exist in the North Rift Regional Bloc

The budget facilitators from the Rift Valley Regional Budget Hub which most counties are under North Rift economic bloc targeted the technical county officials who have responsibility on providing budget information.

The counties in this regional bloc embraced the peer-learning on the kind of information it should be provided in the budget documents. Counties committed to learn from one another utilizing the good practices in budget transparency collected during the survey, especially on comprehensiveness of budget information. For instance, some county officials said they would look out for Baringo County Budget Implementation Reports having scored the highest in terms of comprehensiveness of the County Budget Implementation Report.

Budget Facilitators, Budget Champions and like-minded CSOs to continue monitoring budget transparency give feedback the duty bearers to sustain the gains of budget transparency. Budget Facilitators to support the county government ICT technical staff to internalize the budget cycle, especially the timelines for publishing the budget documents so that they can also request for and publish the documents in their county website in a timely manner.

Nandi County is the second most improved county in the County Budget Transparency Survey 2021.It was also one of the counties that provided feedback in both components of the survey. In some counties, the technical county officials are now embracing the culture of openness and seeing the value of the CBTS to county governments.In Nandi County an official indicated a willingness to work with IBP Kenya in helping improve the capacity of counties in producing better budget documents. This was also visible when results were shared with the same county, and there was a clear willingness to improve its level of budget transparency.

Turkana County is one of the counties that recorded an improvement in the CBTS 2021 and one of the three counties that published all the ten key budget documents that were assessed in the CBTS 2021. The improvements could be attributed to the restructure of Turkana County Government departments where the Department of ICT that is responsible for uploading budget documents was moved from the Office of the Governor to the Department of Economic Planning.

Lake Regional Hub Engagements with the Government Officials

It is imperative to mention that this is also one of the regional economic blocs with a number of budget facilitators and champions who have asked their county governments to be transparent through utilization of the County Budget Transparency Survey 2020. During the advocacy and learning engagements with the county government officials in the region, some of the positive results include:

Busia County. Through support of IBP Kenya, budget facilitators actively engaged with the Busia County government officials by disseminating the County Budget Transparency Survey, 2020 results. The county published more budget documents compared to the County Budget Transparency Survey 2020. This led to an improvement from a transparency index of 11 to 37 out of 100 points in CBTS 2021. This is also evident in the timeliness of the budget documents for the FY 2022/23 where the county has provided its budget in a timely manner which is evident on their county website.

Unpacking the challenges on Counties in the Frontiers Counties Council Engagements with the Government Officials

Lamu and Wajir Counties

- During various engagements with government officials one issue raised that continues to derail budget transparency is lack of coordination between departments. For example, ICT departments which should upload budget documents cannot upload on time unless other departments charged with the responsibility to develop such budget documents, especially on non-financial information, do so on time.
- These two counties have continued to encourage informal sharing of information. This can lead to disconnection/ discrepancies on the budget documents uploaded and shared. The county officials committed to improve feedback mechanisms to avoid the back and forth of information especially when governors are out of offices.
- Lamu county improved their website and published more budget documents.

Annex 3: Widening the Base of County Budget Transparency Survey

a) Assessing the timeliness component

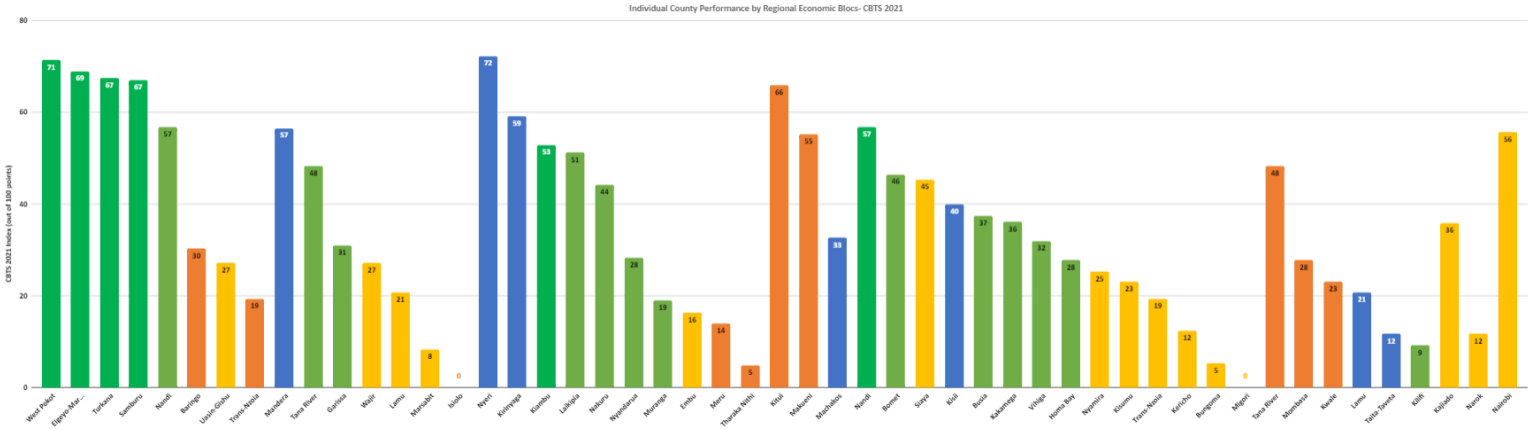
Timely publication of information is crucial not only to the citizens but also to the legislature which has a role to scrutinize the budget and approve where it is required. They also have a role to hold the executive arm of the government accountable in preparing the budget documents in a timely manner and give them adequate time to approve the budget and publish on their website. This will give the public ample time to make contributions that will influence budget priorities.

Previously, the County Budget Transparency Survey only focused on the availability of budget documents and the comprehensiveness of the information provided. However, it is now imperative that budget documents are published in a timely manner, based on the legal provisions. Throughout the survey period at the start of the financial year, IBP Kenya, together with the independent county-based researchers, check whether the budget documents are publicly available on time from FY 2022/23.

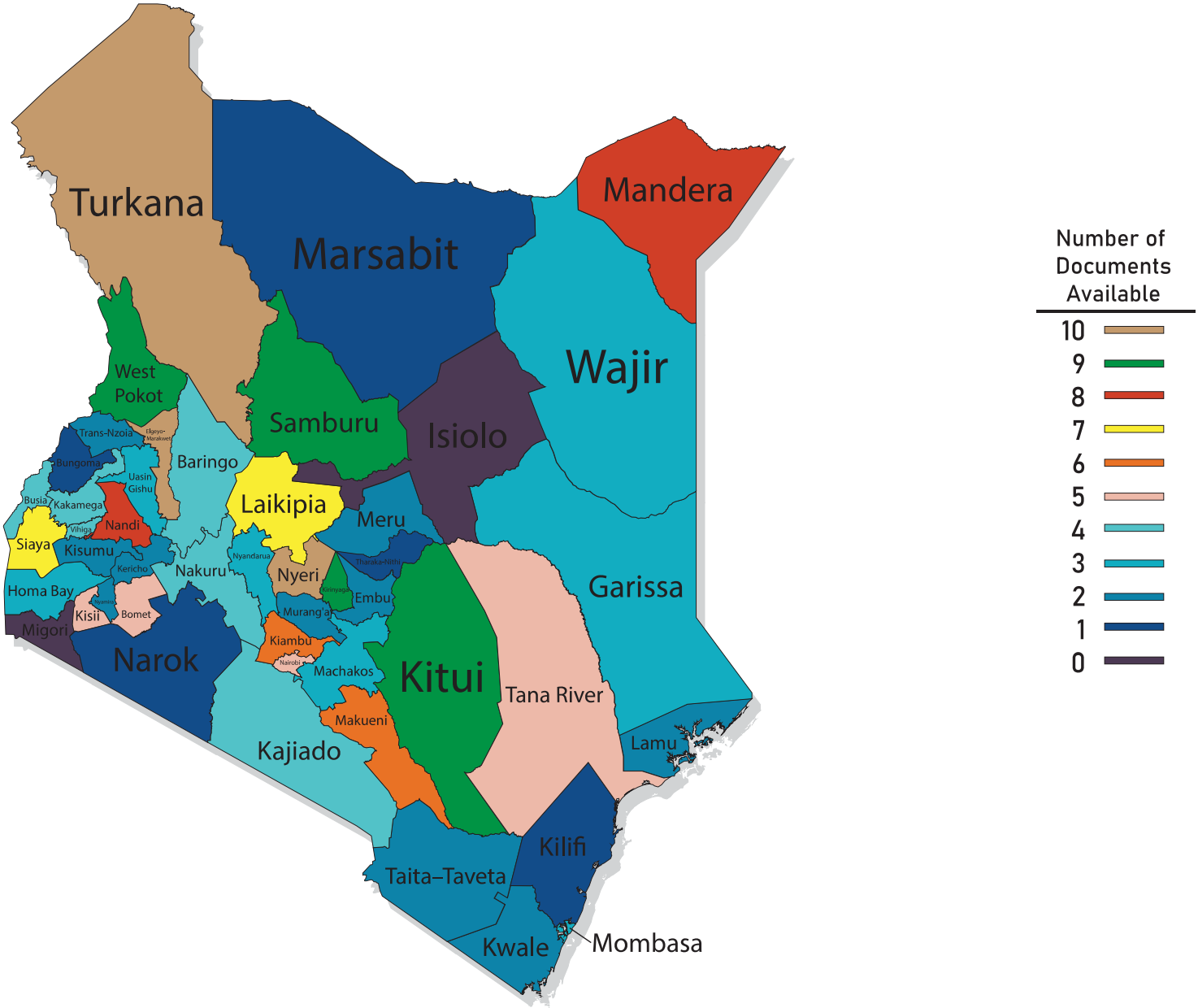
b) Training of researchers and reviewers and improvements of training tools

IBP Kenya has a comprehensive curriculum that is used to train researchers and reviewers. This set of materials is constantly reviewed and improved depending on the challenges that the research team faces during the survey. In 2021, IBP Kenya developed training materials for the senior reviewers for the first time to guide the team on its work.

Annex 4: The County Performance by Regional Blocs



Annex 5: Availability of Budget Documents Map



Annex 6: Counties Feedback - Draft Availability and Comprehensiveness Survey Results

Counties Feedback on the Availability and Comprehensiveness of Draft Results CBTS 2021

		Availability Component		Comprehensiveness Component	
	County	Provided Feedback- an opportunity for improving transparency	New Budget Documents Made Available	Provided Feedback/ Acknowledged the Receipt of Draft Results	Official Written Review Feedback to IBP Kenya
1	Nandi	Y	8	Y	N
2	Elgeyo-Marakwet	N	7	N	N
3	Mandera	Y	7	N	N
4	Turkana	N	7	N	N
5	Makueni	Y	6	Y	N
6	Kitui	Y	6	N	N
7	Laikipia	Y	6	N	N
8	West Pokot	Y	5	Y	N
9	Siaya	Y	5	N	N
10	Nyeri	N	4	Y	Y
11	Nakuru	N	4	N	N
12	Samburu	N	3	N	N
13	Busia	N	2	Y	N
14	Lamu	N	2	Y	N
15	Muranga	N	2	Y	N
16	Taita-Taveta	N	2	Y	N

17	Kiambu	Y	2	N	N
18	Kirinyaga	N	2	N	N
19	Kakamega	N	1	Y	N
20	Narok	N	1	Y	N
21	Garissa	N	1	N	N
22	Homa Bay	N	1	N	N
23	Kisumu	N	1	N	N
24	Meru	N	1	N	N
25	Wajir	N	1	N	N
26	Bungoma	N	0	Y	Y
27	Mombasa	N	0	Y	Y
28	Tana River	N	0	Y	Y
29	Vihiga	N	0	Y	Y
30	Kericho	N	0	Y	N
31	Kilifi	N	0	Y	N
32	Kisii	N	0	Y	N
33	Kwale	N	0	Y	N
34	Nyandarua	N	0	Y	N
35	Marsabit	Y	0	N	N
36	Baringo	N	0	N	N
37	Bomet	N	0	N	N
38	Embu	N	0	N	N
39	Isiolo	N	0	N	N

40	Kajiado	N	0	N	N
41	Machakos	N	0	N	N
42	Migori	N	0	N	N
43	Nairobi	N	0	N	N
44	Nyamira	N	0	N	N
45	Tharaka Nithi	N	0	N	N
46	Trans-Nzoia	N	0	N	N
47	Uasin-Gishu	N	0	N	N
Key		Y - Yes		N - No	

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